

DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Prepared By
STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

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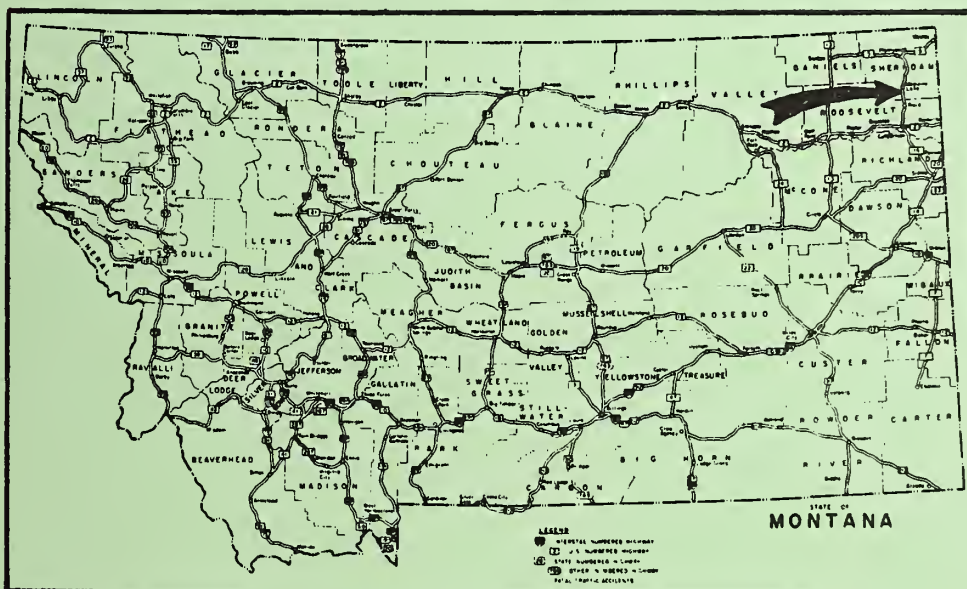
FINAL
ENVIRONMENTAL/SECTION 4(f) STATEMENT
for

PROJECT F-193(18)
CULBERTSON - PLENTYWOOD

THIS HIGHWAY IMPROVEMENT IS PROPOSED FOR FUNDING UNDER
TITLE 23, U.S.C. THIS STATEMENT FOR THE IMPROVEMENT WAS
DEVELOPED IN CONSULTATION WITH THE FEDERAL HIGHWAY ADMINIS-
TRATION AND IS SUBMITTED PURSUANT TO:

SECTION 102(2)C
PUBLIC LAW 91-190
and
SECTION 4(f)
PUBLIC LAW 89-670

PLEASE RETURN



H.J. ANDERSON, DIRECTOR OF HIGHWAYS

BY Jack P. Becht Date 5/22/71
ADMINISTRATOR
ENGINEERING DIVISION

REVIEWED FOR CONTENT AND ACCEPTED BY
FEDERAL HIGHWAY ADMINISTRATION

Date _____
FEDERAL HIGHWAY ADMINISTRATION
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INTRODUCTION

The purpose of this statement is to assure that the human environment is carefully considered and that state and national environmental goals are met when developing highway improvements.

TABLE OF CONTENTS

	<u>PAGES</u>
 <u>SUMMARY SHEET</u>	
I. TYPE OF ACTION-----	1
II. PROJECT DESCRIPTION-----	1
III. ENVIRONMENTAL IMPACTS-----	1-2
IV. ALTERNATIVES-----	3-4
V. DISTRIBUTION-----	4-7
VI. DATES DRAFT AND 4(f) STATEMENTS MADE AVAILABLE TO C.E.Q.-----	7
 <u>STATEMENT</u>	
I. PURPOSE-----	8
II. DESCRIPTION OF PROJECT-----	8-11
III. DESCRIPTION OF EXISTING ENVIRONMENT-----	11-14
A. HUMAN RESOURCES-----	11
B. PHYSIOGRAPHY AND GEOLOGY-----	11-12
C. LAND USE-----	12
D. FISH AND WILDLIFE-----	12-13
E. VEGETATION RESOURCES-----	13
F. CLIMATE-----	13
G. TRANSPORTATION SYSTEM-----	14
H. UTILITIES-----	14
IV. EVALUATION OF ENVIRONMENTAL IMPACT-----	14-19
A. ENVIRONMENTAL IMPACT OF PROPOSED ACTION----	14-16
B. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED-----	16-17
C. ALTERNATIVES-----	17-18
D. RELATIONSHIP BETWEEN SHORT-TERM USES AND LONG-TERM PRODUCTIVITY-----	18-19
E. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS- OF RESOURCES-----	19
V. BENEFITS-----	19
VI. MEASURES TAKEN TO MINIMIZE HARM TO 4(f) LAND---	19-34
VII. COMMENTS FROM OTHER AGENCIES-----	35-95
VIII. PUBLIC HEARING-----	96-99
IX. EXHIBITS-----	100-106



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SUMMARY SHEET

I. TYPE OF ACTION

- (X) Administrative
- () Draft
- () Environmental Statement
- (X) Combination Environmental/Section 4(f) Statement
- () Legislative
- (X) Final

II. PROJECT DESCRIPTION

This project begins approximately 1.5 miles north of Froid, at Station 780+38.3, the end of F-193(11), a recently reconstructed section of highway, and extends 9.669 miles north to Station 1290+920, the beginning of Project F-193(12), a previously constructed section in Medicine Lake, Montana. This project is a reconstruction of a portion of Federal Aid Route 22, Montana 16, in Roosevelt and Sheridan Counties in Montana. The new roadway will have a finished roadway width of 32 feet from shoulder to shoulder with a 36-foot finished width across Medicine Lake.

III. ENVIRONMENTAL IMPACTS

The project will provide a fast, safe and efficient transportation facility for the traveling public. The existing character of the area should not be significantly altered due to this project, and no families will be displaced.

The project traverses the Medicine Lake National Wildlife Refuge from Station 1177+79.7 to Station 1243+80 on the right and to Station 1257+01 on the left. A new bridge will be constructed from Station 1213+09.6 to Station 1214+90.5. The waterway traversed will be between Station 1211⁺ and 1229⁺.

The Medicine Lake National Wildlife Refuge lies in Sheridan and Roosevelt Counties in northeastern Montana. Of the 31,457 acres in the refuge, some 12,000 acres are water covered, 17,400 acres are in range and meadowland, and 1,000 acres are in farming plots. A total of about 13 acres of refuge land will be needed plus about 4 acres of temporary construction permits will be required through the refuge. The refuge land acquired for right-of-way will be replaced and negotiations for securing the replacement land are now underway.

Since the present-traveled way is a direct connection between Culbertson to Plentywood and the Canadian Line, any deviation to miss crossing the lake would mean several miles of out-of-direction travel. The noise level with respect to wildlife disturbance would not be changed by the new highway. The additional construction noise would be a temporary nature. The land taken from the Medicine Lake National Wildlife Refuge is discussed in more detail elsewhere in this statement.

IV. ALTERNATIVES

The existing Montana 16 is, for the most part, due north and south and is direct alignment to serve Culbertson, Froid, Homestead, Medicine Lake, Reserve, Antelope, Plentywood, Raymond, the port of Raymond, Regina and other Canadian points. Portions of the highway have already been improved in recent years between Culbertson and Plentywood. All of these improvements have been along the established alignment which had existed for a number of years. Any alignment change or a change of the location of Montana 16 would necessitate acquiring all new right-of-way, which would be taking greater amounts of land out of crop production than reconstruction along the present highway.

The present-traveled way was constructed in 1933 and surfaced in 1936 with a 24-foot, all weather surfacing. Five bridges were constructed on the existing highway in 1933. The two bridges over the lake have settled to some extent. The existing highway has some excessive grades (8%) and the alignment is fair. If the present-traveled way was not improved, traffic would be using an old, out-of-shape highway, which would not provide fast, safe and efficient transportation.

Since the present highway and the proposed alignment are the same, the direct route between Culbertson and Plentywood would not change. Any route that would by-pass or miss the lake would be several miles out of direction. The pro-

posed new construction would provide the most direct,
fastest, safest and the most efficient transportation.

V. FEDERAL, STATE AND LOCAL AGENCIES AND OTHER ORGANIZATIONS
FROM WHICH COMMENTS WERE REQUESTED

*Indicates agencies from which comments were received.

Department of Agriculture
630 Sansome Street
San Francisco, California 94111

*U.S. Forest Service
Federal Building
Missoula, Montana 59801

Economic Development Administration
415 First Avenue North
Seattle, Washington 98109

Weather Bureau
P.O. Box 11188
Federal Building
125 South State Street
Salt Lake City, Utah 84111

Office of Civil Defense
Federal Regional Center
Bothell, Washington 98011

*Corps of Engineers
Department of the Army
Omaha District
Engineer Division
7410 U.S. Post Office & Courthouse
Omaha, Nebraska 68102

*Department of Health, Education and Welfare
Federal Office Building
19th and Stout Street
Denver, Colorado 80202

*Department of Housing & Urban Development
Federal Office Building
19th and Stout Street
Denver, Colorado 80202

Indian Health Service
3 Seventh Street West
(or P.O. Box 2143)
Billings, Montana 59103

*Bureau of Sport Fisheries & Wildlife
(DOI) P.O. Box 3737
730 N.E. Pacific Street
Portland, Oregon 97208

National Park Service (DOI)
1709 Jackson Street
Omaha, Nebraska 68102

*Bureau of Outdoor Recreation (DOI)
Room 407, U.S. Courthouse
Seattle, Washington 98104

Bureau of Land Management
Federal Building
316 North 26th Street
Billings, Montana 59101

Geological Survey Topography Division
Federal Building
Denver, Colorado 80225

*U.S. Department of Interior
Geological Survey
Water Resources Division
Federal Center
Denver, Colorado 80225

*U.S. Department of Interior
Bureau of Reclamation
Regional Office
Region 6, P.O. Box 2553
Billings, Montana 59103

* Environmental Protection Agency
Denver Federal Center
Region 8
19th and Stout Street
Denver, Colorado 80225

*U.S. Department of Interior
Bureau of Mines
Intermountain Field Operations Center
Denver, Colorado 80225

Federal Water Quality Administration
Northwest Region
Environmental Protective Agency
Federal Office Building
19th and Stout Street
Denver, Colorado 80202

*U.S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

*Director,
Montana Fish and Game Department
Helena, Montana 59601

Council on Natural Resources and
Development
425 Sam W. Mitchell Building
Helena, Montana 59601

*Montana Aeronautics Commission
P.O. Box 1698
Helena, Montana 59601

Rural Electrification Administration
Montana Associated Utilities
Rainbow Western Hotel
Great Falls, Montana 59401

Agricultural Stabilization &
Conservation Service
P.O. Box 670
Bozeman, Montana 59715

*Director,
State Department of Health
Helena, Montana 59601

Department of Planning &
Economic Development
Capitol Post Office
Helena, Montana 59601

*State Forester
2705 Spurgin Road
Missoula, Montana 59801

*Montana Water Resources Board
Sam W. Mitchell Building
Helena, Montana 59601

Roosevelt County Commissioners
Roosevelt County Courthouse
Wolf Point, Montana 59201

Sheridan County Commissioners
Sheridan County Courthouse
Plentywood, Montana 59254

School Board
District 65 & 65 East
Froid, Montana 59226

School Board
District 7
Homestead, Montana 59247

*Postmaster
Froid, Montana 59226

*Postmaster
Homestead, Montana 59242

Nermont Telephone Company
Scobey, Montana 59623

*Mountain Bell
560 North Park Avenue
Helena, Montana 59601

*Mr. Jack O. Horton
Deputy Assistant Secretary for Programs
Department of the Interior
Washington, D.C. 20240

Mr. Donald White, Manager
Medicine Lake National Wildlife Refuge
Medicine Lake, Montana 59427

*Environmental Protection Agency
Washington, D.C. 20460

VI. DATE DRAFT AND 4(f) STATEMENTS WERE MADE AVAILABLE TO CEQ

Draft Environmental Statement - May 13, 1971

Section 4(f) Statement - September 15, 1971

FINAL STATEMENT

The following is a combination Environmental and Section 4(f) Final Statement for Project F-193 (18), Culbertson - Plentywood.

I. PURPOSE

The present highway was constructed in 1933 and improved in 1936 with a 24-foot all-weather surfacing.

The existing grades are excessive with some up to 8% with fair horizontal alignment. The five existing bridges were all constructed in 1933 with H-15 loading. Settlement has taken place on the two bridges across Medicine Lake. By present standards, the existing highway does not provide fast, safe and efficient transportation.

The highway to the south and the one to the north have been recently rebuilt and this section, when completed, will give several miles of up-to-date highway for travel.

II. DESCRIPTION OF PROJECT

The proposed project is a reconstruction of a portion of Federal Aid Route 22, Montana 16, in Roosevelt and Sheridan Counties in Montana. The project begins approximately 1.5 miles north of Froid, at Station 780+38.3, the

end of F-193 (11), a recently reconstructed section of highway, and extends 9.669 miles north to Station 1290+920, the beginning of Project F-193 (12), a previously constructed section in Medicine Lake, Montana.

This project has been planned for additional right-of-way, grading, culverts, one bridge, aggregate base, plant-mix surfacing, fencing, signing and seeding. The center-lines of the new construction and the present highway are approximately 25 feet apart and parallel. The present highway will be incorporated into the new highway.

The new roadway will have a finished stage construction width of 32 feet from shoulder to shoulder with a 36-foot finished width across Medicine Lake, with a design speed of 70 m.p.h.

The traffic data for the project is as follows:

ADT 1970	=	624
ADT 1973	=	640
ADT 1977	=	770
ADT 1993	=	1230
DHV 1993	=	180
D	=	55-45%
T	=	18.9%
Pickups	=	22.1%

The new project has been designed with a maximum grade of 3.06% for a short distance of 700 feet. The maximum degree of curvature of 0°30' provides slight changes in direction.

For the most part, the existing right-of-way width is 100 feet while the new right-of-way width will be about 160 feet. The total right-of-way acreage will

be 170.1, of this 90.1 are the existing right-of-way and 80.0 acres will be newly acquired. This includes the taking of about 13 acres from the Medicine Lake National Wildlife Refuge. Also, about 4 acres of temporary slope permits will be needed through the refuge.

The access will not be controlled. Special attention has been given to provide good sight distance on all approaches. This is especially true at the approach left of Station 992+77 where a small hill will be removed to improve sight distance.

The typical section will have flat inslopes of six feet horizontal with a drop of one foot (6:1 slopes). The ditch slopes will be 20:1 and the backslopes will be 10:1. The fill slopes will be 3:1, 4:1 or 6:1 depending on the amount of fill with most slopes 4:1 or 6:1. Slope permits will be obtained along the project as needed to extend the flat backslopes beyond the right-of-way to give a better appearance, to blend in with the surrounding area, and to prevent severe snow removal maintenance. All slopes will be topsoiled, fertilized and seeded. Culverts will replace all the present bridges except at Medicine Lake where a 181-foot bridge will be constructed between Station 1213+09.6 and 1214+90.5. The other existing bridge will be replaced by culverts.

Between Stations 1177+79.7 and 1243+80 on the right and 1257+01 on the left, the alignment traverses the Medicine Lake National Wildlife Refuge.

III. DESCRIPTION OF EXISTING ENVIRONMENT

A. HUMAN RESOURCES

Along the project are located several farm families. These families will not be relocated as a special effort has been made to avoid taking homes. The backslopes have been changed at some of the building sites to avoid removing the trees and shelterbelts. The new highway will provide a much faster, safer and more efficient transportation.

B. PHYSIOGRAPHY AND GEOLOGY

The dominant physiographic feature of the area is a long shallow, dissected topographic trough that trends northeastward across most of the area. Low hills rise from the floor of the trough and shallow valleys have cut into the trough floor. Most of the streams in this area flow in a southerly direction to the Missouri River. The total relief in the area does not exceed 700 feet.

Practically the entire area is mantled with deposits from continental ice sheets. The uplands are covered with till and the major valleys are nearly filled with glaciofluvial outwash. Only along the walls of the valley is bedrock exposed.

This till consists of unsorted sand, gravel and boulders bound together by clay to form a tough, compact material.

Small shallow streams flow in the area which are perennial except during periods of drought when they become intermittent. Medicine Lake has a saline character predominantly.

C. LAND USE

The land in the immediate vicinity is devoted mostly to dry land farming which produces small grains such as winter wheat, oats and barley. Most of the right-of-way is unfenced indicating little livestock raising. The land use in the future is not likely to change. Almost all of the land is strip-farmed to prevent soil erosion and to conserve moisture.

D. FISH AND WILDLIFE

The Fish and Game Department has decided that no potential lake sites exist along the project outside the refuge. The Department is asking for no special consideration to mitigate the very minor habitat losses caused by this new highway.

Between Stations 1177+79.7 and 1243+80, the alignment traverses the Medicine Lake National Wildlife Refuge. This refuge was established and is managed primarily as a breeding ground for migratory birds and other wildlife and to provide for the

welfare of migratory birds during spring and fall migrations. In addition to the primary purposes, the refuge provides public use for hunting, nature study, boating, picnicing and wildlife viewing. The lake has been stocked with fish at intervals, but winter kill has made fishing less desirable. The marsh and lake area are excellent waterfowl production habitat. The area surrounding Medicine Lake is prairie that supports upland wildlife species, deer and antelope.

E. VEGETATION RESOURCES

Almost all of the adjoining land is under cultivation with grazing land or natural prairie on the Medicine Lake National Wildlife Refuge between Stations 1177+79.7 and 1243+80. The refuge contains 31,457 acres of which some 12,000 acres are water covered.

F. CLIMATE

The average annual rainfall is 12.7 inches for the area, which is composed of rain and snow fall. The prevailing wind is from a westerly direction. The temperature varies in this area from 110°F in the summer to as low as -30°F in the winter with a mean temperature for the region of about 37°F. The winters are considered severe.

G. TRANSPORTATION SYSTEM

A small airfield is located at Medicine Lake, but would handle small aircraft only. A branch line of the Burlington Northern, Inc. serves the area, but all passenger service has been discontinued. The project is located on FAP Route 22 or Montana 16. Secondary Routes 344, 350, the connection to the City of Medicine Lake, and 515, connect to Montana 16 on or near this project.

H. UTILITIES

The Mountain States Telephone and Telegraph, the Nemont Telephone Company and the Sheridan Electric serve the area and their poles are located along the present highway. Some of these require moving or working around at the time of the new construction. Some water valves in the City of Medicine Lake will need adjusting.

IV. EVALUATION OF ENVIRONMENTAL IMPACTS

A. ENVIRONMENTAL IMPACT OF PROPOSED ACTION

The taking of about 13 acres from the Medicine Lake National Wildlife Refuge is the only known adverse environmental impact.

Approximately two-thirds (8-10 acres) of the 13 acres required will traverse uplands presently in natural grasses or planted to crested wheatgrass. That area taken for incorporation in the project will be removed from upland wildlife habitat. Approximately

one-sixth (2 acres) of the area to be taken is marshland and will be lost as waterfowl production habitat. Approximately one-sixth (2 acres) of the taken area is open water surface. Although this taken area represents a minor loss of habitat, it represents a reduction in space requirements for wildlife.

The presence of the high-speed highway will represent an additional intrusion on lands devoted to wildlife. Some deer cross the highway on the refuge, and some upland game birds will enter onto the highway. A minor adverse influence of adjacent habitat is anticipated due to increase in noise and increased traffic frequency.

Land and gravel borrow should not exceed 100,000 yards covered by the gravel and haul road right-of-way granted on October 8, 1970, outside the right-of-way take. Any additional fill material should be taken from other lands than those dedicated to wildlife purposes and should occur off the Medicine Lake National Wildlife Refuge. No additional borrow permits are anticipated from the wildlife refuge. The borrow area will be reshaped and will blend into the natural terrain after borrow has been removed.

The backslopes of the new construction will be warped and altered to avoid removing trees and shelterbelts near some of the farm homes along the project. All backslopes will be topsoiled and seeded. New signing will make travel safer. Fences will be re-established where now existing.

The new highway with its improvement over the present highway will provide faster, safer and more efficient transportation. Four of the five existing bridges will be replaced with culverts which will provide safer travel. All sites that will be subject to erosion will be riprapped. The bridge ends of the bridge over Medicine Lake and the fill slopes subject to wave action will be riprapped to prevent erosion and covered by a gravel blanket. Guardrail will be placed at the bridge ends as a safety factor. A scenic turnout on the right or east side between Stations 1220+00 and 1221+10 will provide a safe stopping place for motorist to observe the wildlife on the lake. The approaches to the existing bridges will be obliterated and the existing structures on the lake will be removed when traffic has been shifted to the new road.

B. ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

Outside of taking some additional right-of-way, no significant adverse impact would be felt. Since this section of Montana is devoted to farming and

with the small population and no population increases foreseen, urbanization is not a factor. The new alignment has been adjusted to avoid the taking of farm homes. Family relocation will not be a problem as none are to be relocated.

The existing right-of-way width is 100 feet while the new right-of-way width will be about 160 feet. The total right-of-way acreage will be 170.1 acres, of this 90.1 acres are the existing right-of-way and 80.0 acres will be newly acquired. Fourteen thousand two hundred sixteen (14,216) square feet of land will be needed in Medicine Lake. Slope permits for the entire project will amount to 36.8 acres. The slope permits will be obtained for flattening the backslopes which will lessen the right-of-way take.

C. ALTERNATIVES

The existing Montana 16 is for the most part due north and south and is direct alignment to serve Culbertson, Froid, Homestead, Medicine Lake, Reserve, Antelope, Plentywood, Raymond, the Port of Raymond, Regina and other Canadian points. Portions of the highway have already been improved in recent years between Culbertson and Plentywood. All of these improvements have been along the established transportation corridor which had existed for a number of

years. Any alignment change or a change of the location of Montana 16 would necessitate acquiring all new right-of-way which would be taking greater amounts of land out of crop production than reconstruction along the present highway.

The present-traveled way was constructed in 1933 and surfaced in 1936 with a 24-foot, all-weather surfacing. Five bridges were constructed on the existing highway in 1933. The two bridges over the lake have settled to some extent. The existing highway has some excessive grades (8%) and the alignment is fair. If the present traveled way was not changed, traffic would be using an old, out-of-shape highway which would not provide fast, safe and efficient transportation. Since the present highway and the proposed alignment are the same, the direct route between Culbertson and Plentywood would not change. As can be seen from the exhibits, any route that would bypass or miss the wildlife refuge would be several miles out of direction. The proposed new construction would provide the most direct, fastest, safest and most efficient transportation.

D. RELATIONSHIP BETWEEN SHORT-TERM USES AND LONG-TERM PRODUCTIVITY

The short-term and long-term effect of construction will not change the farming and ranching conducted in the area at present. As time progresses,

more and more use will be made of the highways and the demand will be greater for roads that provide fast, safe and efficient transportation.

E. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The amount of additional land taken for right-of-way will be small. Those lands taken within the Medicine Lake National Wildlife Refuge represent a reduction in habitat and space requirement for wildlife and will be lost for those purposes. Several slope permits will be obtained for flattening the backslopes, but the land will be a part of the right-of-way take or be permanently taken out of production. The present highway will be obliterated where not a part of the new construction, especially at the old bridge site.

V. BENEFITS

All people traveling will benefit by having an improved highway which provides faster, safer and more efficient transportation. This area, which is mostly devoted to farming, improved highways will provide better farm-to-market movements. With flattened backslopes, the area will be more pleasing to the eye.

VI. MEASURES TAKEN TO MINIMIZE HARM TO 4(f) LAND

The State of Montana Department of Highways is requesting approval of a proposed Federal-Aid highway project

on Montana State Route 16 that requires the use of public land from the Medicine Lake National Wildlife Refuge. Accordingly, approval of the project is permitted by Section 4(f) of the United States Department of Transportation Act and Section 138 of Title 23, U.S.C. only if--

- (1) there is no feasible and prudent alternative to the use of such land, and
- (2) such program includes all possible planning to minimize harm resulting from such use

This statement, therefore, sets forth that determination pursuant to Section 4(f) of the Department of Transportation Act and Section 138 of Title 23, U.S.C.

Montana Route 16 is one of seven principal north-south routes connecting with the Canadian Highway System. The present-traveled way was constructed in 1933 and surfaced in 1936. Prior to that time an old county road was in the same location. Since Route 16 is a direct connection between Glendive on Interstate 94 and the Canadian border any deviation to miss crossing the lake would mean several miles of out-of-direction travel. The proposed construction parallels the existing highway and incorporates the present-traveled way. The project begins 1.5 miles north of Froid and extends north 9.7 miles. The new project will have a finished stage construction width of 32 feet

from shoulder to shoulder with a 36-foot width across Medicine Lake. It is this higher design that necessitates the additional right-of-way from the refuge. This additional right-of-way required through the refuge consists of a strip about 80 feet in width lying east of the presently traveled way adjacent to the present highway for a distance of 6,600 feet. This additional 13 acres of right-of-way consists of two acres of open water surface, two acres of marshland and nine acres of uplands presently in natural grasses or planted to crested wheatgrass. There are also about four acres of temporary construction permits involved through the refuge.

Medicine Lake National Wildlife Refuge was established and is managed primarily as a breeding ground for migratory birds and other wildlife and to provide for the welfare of migratory birds during spring and fall migrations. In addition to the primary purposes, the refuge provides public use for nature study, boating, picnicing and wildlife viewing. The refuge has an area of 31,457 acres. Therefore, the additional right-of-way requirements represent .041% of the total area. The presently traveled way and the proposed construction divide the refuge with roughly 1,500 acres lying west of the alignment and the remainder to the east.

This highway construction does not significantly curtail any of the range of uses of the refuge. With the wider road section a greater safety factor for the public has been assured. All possible planning to minimize harm to the refuge has been made a part of the design. The fill across the water area will be protected by riprap and gravel blankets to prevent erosion from wave action on the lake. A turn-out will be constructed between Stations 1220+00 and 1221+60 on the right to enable the public to observe the wildlife.

Coordination with the Bureau of Sport Fisheries and Wildlife, the controlling agency of the refuge, has revealed that they desire adjacent replacement lands for the additional right-of-way. Negotiations are currently underway to secure this replacement land.

It has been determined that there are no prudent alternatives to the use of the Medicine Lake National Wildlife Refuge land and that all possible planning to minimize harm has been exercised.

Pages 23 through 34 consist of recent correspondence relating to the replacement of the land to be taken from the refuge.



Data Rec'd SEP 21 1971			
LT	NO	R/W DIVISION MAIL ROUTE	INIT.
	1	60 C R/W Agent	/
		61 SA C R/W Act.	
cc 3		62 Plans & Prgms.	
		63 Appraisal	
		64 Negotiation	
		65 Utilities	
		66 Land & Rec.	
		67 A C R/W Agent	

Medicine Lake National Wildlife Refuge
September 20, 1971

Act	Int	RETURN TO W & F
		MAY BE EXTENDED
		STATE OF MONTANA
		CHIEF COUNSEL
		ASST. S.H.E. AGENT
		ACCOUNTING
		PLANNING SURVEY
		ASST. S.H.E. AGENT
		BRIDGE
		RECONSTRUCTION
		RIGHT OF WAY
		ASST. S.H.E. AGENT
		CONSTRUCTION
		MAINTENANCE
		MATERIALS
		OTHER

Mr. Wesley S. Plann
Right of way Agent
Montana State Highway Commission
Glendive, Montana

Dear Sir:

This letter is to inform you that I have identified 3 land parcels as possibilities for replacement of lands lost to the proposed new Highway 16 right-of-way.

Priority Number 1

A marsh owned by William Deem of Medicine Lake, Montana. The marsh is estimated at 18 acres in size and is located in Sec. 25, T32N, R55E. This marsh I consider of equal wildlife value to the land lost for the right-of-way. This parcel is bordered by refuge land on the south and east sides.

Priority Number 2

A type 4 pothole that usually goes dry in the summer and is located in Sec. 31, T32N, R56E. The size is estimated at 20 acres. This area is bordered by refuge land on the south side. This pothole I consider of less wildlife value than the land taken for the highway right-of-way. This land, we believe, is owned by Floyd Carlson of Medicine Lake, Mont.

Priority Number 3

A marshy area that borders the refuge in either Section 34, T32N R57E or Sec. 3, T31N, R57E. The size could be anything from 10 acres to 20 acres. This land is owned by Frank Reuter of Medicine Lake. This land I consider of less wildlife value than the land taken for highway right-of-way. This parcel is bordered on the west side by refuge land.

Donald N. White

cc: FWS Regional Office, Portland, Ore.
Montana Highway Comm., Helena, Mont.

Manager - Field R/W Unit, Glendive

January 18, 1972

R. E. Champion, PE, Supr.-R/W Section

RF 193(21)
Culbertson, Plentywood-
North
Sec. 4(f) Medicine Lake
Wildlife Refuge

Recent legal opinions indicate that every reasonable effort should be made to replace parkland, recreational lands, etc., that must be taken for highway purposes when requested by the agency administering those lands. We were informed that the Fish and Wildlife Service desire that replacement lands be provided for those lands being taken for the captioned project.

To avoid any delay in the preparation of the Final Environmental Statement and ultimately achieve the necessary approval, we must determine the availability of the replacement sites and provide the information required under P.P.M. 90-1. It is requested that you proceed with cost studies as follows:

1. Land to be acquired - Determine the fair market value of the land to be acquired.
2. Replacement sites - Determine the fair market value of the two replacement sites per Donald N. White letter (copy attached).

While it is not suggested that full appraisals be prepared, some market support should be included to verify the value determinations. Once these determinations are made we will then attempt to reach an understanding with the replacement owners - either agreeing to sell at some future date or a written refusal - or explore other suitable replacement sites with the Fish and Wildlife Service.

We also request that you provide descriptions, photos, reports, etc. as per our memorandum of August 25, 1971. Please include photos of any special facilities peculiar to waterfowl game refuges that may be affected. If brochures or maps of the refuge are available at the field office, these may also be helpful.

Enclosed are two copies of the preliminary plans on this project. Please code all charges to the P.E. program as no R/W has been authorized. If we can be of further help, please let us know.

REC:MLN:sb

Attachment

cc: Appraisal Unit

Land & Records Unit

Preconstruction Section

Field Const. Unit, Glendive

Original signed by
ROBERT E. CHAMPION

INTER-DEPARTMENTAL MEMORANDUM

STATE HIGHWAY COMMISSION OF MONTANA

To M. DEAN KNAPP, MGR. FIELD R/W UNIT - GLENDIVE

From WESLEY S. PLANN, R/W AGENT I

Date February 9, 1972

Subject: F-193 (21) P.E.
CULBERTSON - PLENTYWOOD
SECTION 4 (F) REPLACEMENT

The following is a narrative of the writer's negotiations in regards to the Section 4 (F) Replacement to the Medicine Lake National Wildlife Refuge.

On September 17, 1971 the writer contacted Mr. Donald White, the Manager of the Refuge. Because neither Mr. White nor the writer were sure as to whether the replacement for the R/W taken would have to be on an acreage value, or what-have-you basis, Mr. White contacted his superior, Mr. Craigton J. Lankford, in Portland.

Mr. Lankford stated that the replacement would have to be on the basis of "equal habitat value" disregarding size, value, etc. With this in mind, Mr. White picked out three replacement sites, as per his letter to the writer of 20 Sept. 1971, a copy of which is enclosed.

At the same time, the writer and Mr. White walked over and around the Deem site and decided that this site would be the best to pursue because it has "equal habitat value".

The writer checked into land values in the area and estimated the Deem site at \$35.00 an acre across for whatever acreage was involved.

The southern part of the site has some higher ground that produces some wild hay, while the rest of the area is pure swamp with cattails and heavy brush.

On October 7, 1971, the writer contacted Mr. William Deem, the owner of the above site, at his home on these lands at Medicine Lake. Mr. Deem is an elderly gentleman, who had been the Great Northern Depot Agent at Medicine Lake for many years before retirement. Mr. Deem also has a bad heart and can do no work. Mrs. Deem is a very caustic and bitter lady.

Mr. Deem stated that the site was purchased from the Great Northern Railway and had been their gravel pit in the area. After much discussion Mr. Deem appeared willing to sell the site for \$50.00 an acre, depending upon how many acres was involved and subject to the Refuge allowing a watering hole for cattle watering, when fencing the area.

On the basis of this conversation the Resident Engineer was requested to prepare a legal survey of the site to determine the acreage and to use to prepare a deed. In the meantime, Mr. White was in contact with his superiors. They approved the "water gap" and also decided the 2nd and 3rd choices would not do as replacement sites because of the low habitat value.

On November 29, 1971 the writer contacted Mr. Deem and his son, Mr. Glyn Deem, of Plentywood. A tentative meeting was set up for the evening of the 2nd of December.

Avoid Verbal Instructions

INTER-DEPARTMENTAL MEMORANDUM

STATE HIGHWAY COMMISSION OF MONTANA

To M. Dean Knapp, Mgr. Field R/W Unit - Glendive

Date February 9, 1972

From Wesley S. Plann, R/W Agent 1

Subject: F-193 (21) P.E.
Culbertson - Plentywood
Section 4 (F) ReplacementPage Two

Mr. Glyn Deem called the writer on December 1 and stated they would not sell because "they could see no advantage to them in doing so". No argument, including more money, would change their minds. In the meantime, the Highway R/W Attorneys had opined that the Highway Commission could not condemn for the Section 4 (F) because we could not prove necessity.

When Mr. White was notified that the Deem site could not be purchased by negotiations, he then chose two other sites owned by the State of Montana in the $E\frac{1}{2}SE\frac{1}{4}$ and $SE\frac{1}{4}NE\frac{1}{4}$ of Section 9, Township 37 North, Range 58 East. These areas would block out a "pot-hole" in a waterfowl production area owned by the Refuge. The reason for choosing this State owned site was that Mr. White does not feel that the Highway Dept. will ever be able to buy a replacement site through peaceful negotiations from fee owners.

The Highway Dept. Land Agent does not feel that the Highway Dept. can secure fee title to these State owned lands because the present lessee will buy these areas, as he has first refusal on any offer to purchase or sell.

The question of whether a permanent easement to State owned lands would satisfy the letter of the law for the Section 4 (F) replacement has never been answered as far as the writer knows. Again, in the meantime, the area Resident Engineer has a man working on his crew, who is from Medicine Lake. They felt, insofar as we had reached a complete impasse, that they might be able to put some pressure on the Deems to sell, from people in the area, who wanted this road built. This action was not successful either because the people in the area are very hostile to the Refuge because of its very active acquisition program to add to the refuge.

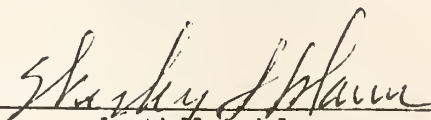
Mr. White called the writer on February 7, 1972 to find out if any progress had been made. He also stated that the B.O.R. was stepping in to handle further negotiations.

It appears that any further conversation should be with the U.S. Dept. of Interior, Bureau of Outdoor Recreation, Pacific Northwest Region, 1000 Second Avenue, Seattle, Wash. 98104. The writer was referred to Mr. Sid Malbon at the above, Tel. No. 206-442-4720.

DEPARTMENT of HIGHWAYS
RECEIVEDWSP:bh
Attach

FEB 9 1972

GLENDDIVE, MONTANA


Avoid Verbal Instructions

MONTANA STATE HIGHWAY COMMISSION

To Supervisor - Right of Way Section

Date February 10, 1972

From Manager - Field R/W Unit - Glendive

Subject: F 193 (21) P.E.

Culbertson - Plentywood

Section 4 (F) Replacement

ATT: Manager Plans Unit

Pursuant to your request concerning the status of the replacement lands for the Medicine Lake Game Refuge, the attached memorandum should bring you up to date on this subject. If you need more information please advise.

MDK:
Attachment

DATE RECD		FEB 14 1972	
NOV	DEC	RAV DIVISION	PLANS
		FILE ROUTE	
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Manager - Land Records Unit

February 24, 1972

Manager - Plans Unit

F 193(21)PE
Culbertson-Plentywood
Section 4(f) Replacement
Ref: 62 - MLN

Two State of Montana sites have been mentioned as possible replacement lands for land required for Right of Way on the referenced project. These sites are in the $E\frac{1}{2}SE\frac{1}{4}$ and $SE\frac{1}{4}NE\frac{1}{4}$ of Section 9, Township 37 North, Range 58 East. Would you please comment on the possibility of acquiring either of these sites so that we can comply with Section 4(f) of the United States Department of Transportation Act.

MLN:WWK:sb

INTER-DEPARTMENTAL MEMORANDUM

STATE HIGHWAY COMMISSION OF MONTANA

To Manager - Plans Unit

Date March 1, 1972

From Manager - Lands and Records UnitSubject: F 193(21)P.E.
Culbertson - Plentywood
Section 4 (f) Replacement
Ref: 66 - ELR

In accordance with your February 24, 1972, memo this office has made inquiry concerning the possibility of acquiring two (2) tracts of land under the jurisdiction of the Department of State Lands, Helena, Montana, to allow compliance with Section 4 (f) of the U. S. Department of Transportation Act. The tracts are located in the $E\frac{1}{2}SE\frac{1}{4}$ and $SE\frac{1}{4}NE\frac{1}{4}$ of Section 9, Township 37 North, Range 58 East, Sheridan County, Montana.

Acquisition of Department of State Land lands can be obtained either by Easement or Patent. In order to secure either or both of the above tracts as replacement land and convey said lands to the U. S. Government in Fee Title it would be necessary to acquire the tracts through a Patent since an Easement does not provide a merchantable title to the land.

Procedures and conditions involved to secure land by Patent are as follows:

1. Submit application and \$125.00 to Department of State Lands requesting said land be sold. (\$125.00 covers cost of advertising and conducting public auction).
2. Commissioner determines whether or not land will be sold.
3. Only grazing lands sold, no agricultural lands.
4. Applicant must guarantee to submit a bid equal to appraised value of land. Land value established by State Land Board personnel.

Some difficulty will be encountered in our efforts to acquire these tracts for reconveyances. (A.) The Department of State Lands has become very reluctant to dispose of any type of trust lands. (Exceptions include isolated tract and hard to administer tracts) and (B.) under Montana Statutes the surface lessee has the right to meet the high bid. Both of these tracts are leased and because of this we have no assurance of being able to purchase the tract(s) even though we were the high bidders.

If we can be of further assistance, please advise.

ELR:PJZ:gr

Mabel
Rogstad

E. J. Reutherdahl
Avoid Verbal Instructions

March 29, 1972

Mr. Sid Malbon
U. S. Department of Interior
Bureau of Outdoor Recreation
Pacific Northwest Region
1000 Second Avenue
Seattle, Washington 95104

RF 193(21) R/W
Culbertson - Plentywood
Section 4(f) Replacement
Ref: 62 - MLN

Dear Mr. Malbon:

I am writing to you regarding a mutual problem that has arisen concerning our proposed reconstruction program for State Highway 16. The specific area of concern is that portion of the project that transverses the Medicine Lake Wildlife Refuge. Our proposed design will parallel the existing highway but, because of higher design standards, an additional strip of Right of Way averaging 80 feet in width will be required across the refuge amounting to approximately 13 acres.

Because of this use of public owned land in the refuge, Section 4(f) of the Department of Transportation Act of 1966 as amended is applicable. Under this act we are allowed to use this land if our program includes all possible planning to minimize harm resulting from such use. Part of this planning involves determining if replacement lands are necessary. The Department of Interior has asked us to add this statement to our Environmental Statement which includes the Section 4(f) Determination: "Those lands taken from the Medicine Lake National Wildlife Refuge represent a reduction in lands established and dedicated to wildlife purposes by the United States and should be replaced in kind adjacent to the Medicine Lake National Wildlife Refuge."

We contacted Mr. Donald White, manager of the refuge, and asked him to select three alternates for the replacement site. Mr. White, on the basis of "equal habitat value", selected three sites, including the Deem site which he felt was superior. This site, however, could not be obtained by negotiations and our attorneys opined that we could not condemn as we could not prove necessity. A review by Mr. Whites superiors of the two alternate sites revealed that they were unsuitable using the "equal habitat value" as a criteria. Contact with various land owners in the area left us with the impression that we would never be able to buy a replacement site through peaceful negotiations.

(continued...)

We then moved further afield to an area some 20 miles north of the main body of the refuge where the refuge owns a wildlife reproduction site. Mr. White chose a site which would block out a "pot hole" in the reproduction site. This site is owned by the State of Montana but is presently leased to a private landowner. It is our intent to acquire the leasehold interest in 20 acres bordering this pothole, and to obtain a permanent easement in the name of the Medicine Lake National Wildlife Refuge. This tract is located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 9, Township 37 North, Range 58 East, Sheridan County, Montana.

If our current plan for providing replacement lands for the refuge is satisfactory would you please inform us as soon as possible.

Sincerely yours,

H. J. ANDERSON
Director of Highways

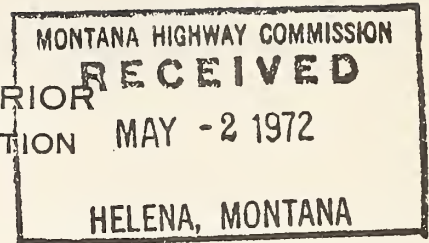
REC:WVK:sb
cc: Mail & File

By _____
Robert E. Champion, P.E.
Supervisor - R/W Section



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF OUTDOOR RECREATION

PACIFIC NORTHWEST REGION
1000 SECOND AVENUE
SEATTLE, WASHINGTON 98104



IN REPLY REFER TO:

D36
Your reference:
RF 193 (21) R/W
Culbertson - Plentywood
Section 4(f) Replacement
Ref: 62 - MLN

MAY 1 1972

Mr. H. J. Anderson
Director of Highways
Montana State Highway Commission
Sixth Avenue and Roberts
Helena, Montana 59601

Date Rec'd		MAY 2 1972	
Act	Info	R/W SECTION MAIL ROUTE	Init.
		60 Supervisor	
		61 SA Supvr.	
		62 Plans Unit	
		63 Appraisal	
		64 Negotiation	
		65 Utilities	
		66 Land Records	
		67 A Supvr.	
Gen.		FILE	Proj.
Par.			Util.

Dear Mr. Anderson:

This is in further response to Mr. Champion's letter of March 29 to Mr. Malbon of this office. On April 21 we furnished you an interim response.

You propose to acquire a leasehold in the name of the United States in lieu of fee simple title for 20 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9, T37N, R58E, PM of Sheridan County for administration by the Bureau of Sport Fisheries and Wildlife (BSF&W). The Regional Director, Pacific Region of the BSF&W has advised that only fee simple title is acceptable as evidence that "...all possible planning to minimize harm to such...wildlife refuge..." has been included in the highway project as required by Section 4(f) of the Department of Transportation Act of 1966 as amended.

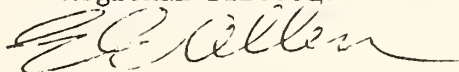
Specifically, BSF&W will accept fee title to the following described 20 acres of state-owned land: S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, T37N, R58E, PM. It would adjoin other tracts under BSF&W administration in the area and would become part of the Sheridan County Waterfowl Protection Area. Fee title is required to properly manage it for wildlife protection.

Because BSF&W has administrative responsibility for the Medicine Lake National Wildlife Refuge, please direct any further request for approval of specific replacement land to Mr. John D. Findlay, Regional Director, Pacific Region, Bureau of Sport Fisheries and Wildlife, 1500 Plaza Building, 1500 N.E. Irving Street, Portland, Oregon 97208.

Should there be other aspects of this project which require coordination with the Department of the Interior, please continue to address such inquiries to this office.

Sincerely yours,

Maurice H. Lundy
Regional Director

A handwritten signature in dark ink, appearing to read "M. Lundy", written in a cursive style.

Manager - Field R/W Unit, Glendive

May 3, 1972

Supervisor - Right of Way Section

F 193(21) R/W
Culbertson - Plentywood
Section 4(f) Replacement
Ref: 62 - MLN

The Regional Director of the BSF&W has advised us that they will accept a fee simple title to the $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ of Section 9, Township 37 North, Range 58 East as a replacement for the additional right of way required from the Medicine Lake Wildlife Refuge. This site is under the jurisdiction of the Department of State Lands. It is our intention to acquire this tract by Patent. The first step is to have the leasehold interest assigned to us.

Mrs. Mabel Rogstad, of Westby, Montana has the present grazing lease on 120 acres, of which the replacement site is a portion. Her lease expires on February 2, 1979. She is allowed 6AUM's on the 20 acres. The price per unit is based on beef prices, which currently would make the cost of the lease for the twenty acres \$5.22 a year.

Please contact Mrs. Rogstad and see if it is possible to acquire her leasehold interest. Any further activity is predicated on obtaining this interest.

REC:WWK:sb

Following are letters of comment on the draft environmental statement and 4(f) determination. Where a response is in order, it follows the letter.

MONTANA HIGHWAY COMMISSION
 RECEIVED
 MAY 25 1971
 HELENA, MONTANA

560 North Park Avenue
Helena, Montana 59601
Phone (406) 449-3202

F193(18)
Culbertson-Plentywood

Dear Sir:

Yours truly,

Date Recd.	Preconst.	5/25/71
Act	Info	MAIL ROUTE
		30 GOP. RMT
		30 Field Design
		30 Software Design
		31 Univ. Eng. Dept.
		32 WASH. REGION
		34 Univ. Eng. Dept.
		34 WASH. REGION
		36 Univ. Eng. Dept.
		37 Pub. Housing
		38 Soc. Issues
		39 Consultant Design
		File

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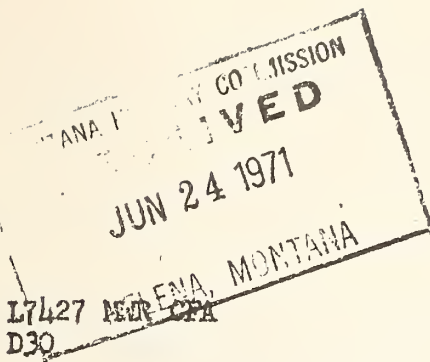
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(3)

June 19, 1971

MONTANA FISH & WILDLIFE COMMISSION
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 JUN 22 1971
 HELENA, MONTANA

Date Recd.	Preconst.	<u>6-23-71</u>
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		30 Surfacing Design
		31 Gravel Encasement
		32 Manhole
		33 Telescope
		35 East Region
		34 Hydraulic
		36 Tunnel
		37 Pav. Hearing
		38 Steel Rods
		39 Constant Design
		File



JUN 21 1971

Memorandum

To: Regional Director, Bureau of Outdoor Recreation, Pacific Northwest Region, Seattle, Washington

From: Acting Director, Midwest Region

Subject: Review of draft environmental statement for highway improvements to F.A. Route 22 from Culbertson to Plentywood in Roosevelt and Sheridan Counties, Montana

No known National Park Service interests are affected by this proposed highway improvement.

We suggest the Montana State Liaison Officer, Mr. Wesley R. Woodgerd, Chief of Recreation and Parks Division, Department of Fish and Game, State of Montana, Helena, Montana, be contacted in the interests of the Historic Preservation Act of 1966 (P.L. 89-665) as it may be influenced by the proposed construction.

In the event that archeological materials are uncovered during the construction phase of this project, the National Park Service Midwest Archeological Center, 2605 North 27th Street, Lincoln, Nebraska should be notified immediately.

We are pleased to note the consideration of aesthetic values in this report. By using the same right-of-way, an additional scar in the landscape will be avoided, and the general appearance should be improved due to the additional back-sloping and warping of road slopes.

cc: Director, NPS, WASO
Montana Highway Commission, Helena, Montana

(Sgd) PHILLIP R. IVERSEN

Acting Director
Midwest Region

The Department of Fish and Game was furnished a copy of the draft environmental statement and of the 4(f) determination.

5

50 OCT 5 1971



We have reviewed the State's determination on the Medicine Lake National Wildlife Refuge on Montana State Route 16.

for: Keith M. Thompson
STEVE YURICH
Regional Forester



To Sack Boelett

[illegible][illegible]

ACT	INF	MAY BE RELEASED
		BENSON
		CIDE
		MACDONALD
		NOLAN
		SCHULTZ
		TREMPER
		WILLIAMS
		WILLIAMS W



SAM. W. MITCHELL BUILDING

DATE: JULY 1, 1964

534943124-7-1-71

GOVERNOR FORREST H. ANDERSON, CHAIRMAN

WILBUR WHITE, VICE CHAIRMAN AND SECRETARY TWODOT
HOMER C. BAILEY, CORVALLIS
RILEY OSTBY, WOLF POINT

DOUGLAS G. SMITH, DIRECTOR, HELENA
EVERETT REDEEN, FORSYTH
JOSEPH B. REBER, HELENA

In Reply Refer to:
Landscape Architect

June 25, 1971

Mr. Lewis M. Chittim
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

We have reviewed your draft of environmental statement for the Culbertson - Plentywood project F-193 (18). The following are comments our MWRB Environmental Coordinating Committee has developed:

- 1) We urge your department to be especially careful in this area because of the presence of wildlife. It is also possible that the noise factor would be detrimental to the wildlife in this area.
- 2) We hope that the Highway Department will provide adequate access for any existing or proposed recreation development at Medicine Lake.
- 3) You may wish to investigate the possibility of utilizing state funds in this project to develop a rest stop at the Medicine Lake recreation area.
- 4) We feel that the protection of existing shelterbelts and vegetation should be encouraged on this and other projects.
- 5) It was stated in part B, adverse environmental affects which cannot be avoided, "Slope permits will be obtained for flattening the back slopes which will lessen the right-of-way take". This should be more thoroughly explained to alleviate any question as to what is meant.

In general we feel this project fits into the environment and has been well studied and will be compatible with the surrounding area.

Thank you for this opportunity to review the project.

Sincerely,

MONTANA WATER RESOURCES BOARD

Douglas G. Smith
Director

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1. The noise factor, as far as wildlife is concerned, is of a temporary nature only. The area of the refuge involved is quite small as compared to the total refuge water and land area.
2. The access on this project is not controlled. Accesses that now exist will be perpetuated. A planned scenic turnout on the east side between Stations 1220+00 and 1221+10 will provide a safe stopping place for motorists to observe the wildlife on the lake.
3. A rest area is not planned for this project.
4. Existing shelterbelts and vegetation will be protected as much as possible. All disturbed slopes will be topsoiled and seeded.
5. By a slope permit is meant a permit to do work outside of a normal right-of-way width for the duration of the construction period. When a backslope is flattened, the owner of the permit land generally has an area that can be farmed or grazed after the area has been topsoiled.

STATE OF MONTANA

OFFICERS:

JACK R. HUGHES, CHAIRMAN
MISSOULA
JOHN HEBBELMAN, JR., VICE-CHAIRMAN
CHINOOK
DR. B. P. LITTLE, SECRETARY
GLASGOW

DIRECTOR:

WILLIAM E. HUNT



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CLARENCE R. ANTHONY
HELENA
JAMES A. STEFFECK
HELENA

AERONAUTICS COMMISSION

P. O. BOX 1698

HELENA, MONTANA 59601

TELEPHONE 406-449-2506

26 May 1971

Montana Highway Commission
6th Avenue & Roberts
Helena, Montana 59601

Attention: Mr. Grover O. Powers, P.E.

Re: Culbertson-Plentywood
08-24.2 DB2

Gentlemen:

This letter shall constitute the review by the Montana Aeronautics Commission of your environmental statement of the above stated project.

The Montana Aeronautics Commission would concur that the adverse environmental effects of the proposed project are very minimal and that the benefits derived to the traveling public will be measurably increased. We would ask that any utility lines which may be relocated as a result of the proposed project be so located that the existing approach surfaces and transitional surfaces to the Medicine Lake Municipal Airport be preserved intact.

Sincerely yours,

William E. Hunt, Director

Worthie M. Rauscher
Worthie M. Rauscher
Deputy Director
WMR:mcf

Date Recd. Preconst. 5/27/71	Initial	
	Attach	
MAIL ROUTE	30 GOF	
	30 Field Design	
Info	30 J. J. J. Design	
	31 G. J. J. Design	
Act	32 J. J. J. Design	
	33 J. J. J. Design	
File	34 Hydraulic	
	35 Traffic	
	37 Pub. Hearings	
	38 Sec. Roads	
	39 Consultant Design	

RETURN TO M & F	
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CHIEF COUNSEL	
ASST. S.H.E. - ADTH	
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ASST. S.H.E. - ENGR.	
BRIDGE	
PRECONSTRUCTION	
RIGHT OF WAY	
ASST. S.H.E. - CHIEF	
CONSTRUCTION	
MAINTENANCE	
MATERIALS	
OTHER	



HELENA, MONTANA

State of Montana
 State Department of Health

HELENA, MONTANA 59601

May 25, 1971

Lewis M. Chittim, P.E.
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

This office has received the environmental impact statement for the construction of your Project F 193(18), Culbertson-Plentywood. This statement meets with our approval.

Sincerely yours,

Clarence H. Brink

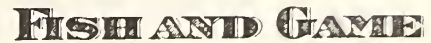
Claiborne W. Brinck, P.E., Director
Division of Environmental Sanitation

CWB/DGW/pb

1	RETURN TO M & E
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	CHIEF COUNSEL
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5-28-71				
	MAIL ROUTE			
	30 COP. RMH			
	30 Field Design			
	36 S. Heating Design			
	31 O. & H. Pools			
	32 V. & H. Pools			
	33 East Region			
	34 Hydraulic			
	36 Traffic			
	37 Pub. Hearing			
	38 Soc. Roads			
	39 Consultant Design			
				File

[illegible]



June 4, 1971

is M. Chittim
Highway Engineer
Highway Department
Montana 59601

Dear Lew:

We have no recommendations to make on this project.

FRANK H. DUNKLE
STATE FISH AND GAME DIRECTOR.

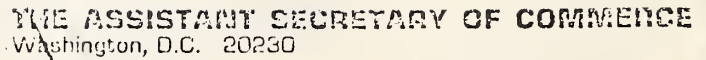
By

RALPH W. BOLAND, ASSISTANT CHIEF
ENVIRONMENTAL RESOURCES DIVISION

RWB/sd

cc: Tom Hay

[illegible]



James R. Galler
Deputy Assistant Secretary
for Environmental Affairs

Act	Info	MAIL ROUTE	Attach	Initial
		30 GCP 101H		
		30 Field Design		
		30 Surveying Design		
		31 Office Engineers		
		32 West Region		
		32 Landscape		
		33 East Region		
		34 Hydraulic		
		36 Traffic		
		37 Public Hearing		
		38 East Region		
		39 Consultant Design		
		File		

VED

HELENA, MONTANA

June 8, 1971

Mr. Lewis M. Chittim, P. E.
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

We have reviewed the Draft Environmental Impact Statement for "Project F-193(18), Culbertson-Plentywood".

In accordance with interim procedures in our agency, our comments are being forwarded to headquarters for their consideration in making a direct response to your office.

Several Federal environmental programs were combined in the new Environmental Protection Agency on December 2, 1970. Programs involved in this transfer of functions included the former Water Quality Administration of the Department of the Interior; the former National Air Pollution Control Administration of the Department of Health, Education, and Welfare; as well as Pesticides programs from several Federal Government agencies. We shall appreciate having you direct environmental impact statements to this office which were formerly addressed to any of the above-named agencies.

Sincerely yours,

Donald P. Dubois
Interim Regional Coordinator

REGION	
DAY IS FORWARDED	
REGION	
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NAME	
ADDRESS	
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		CHIEF COUNCIL
		AST. S.H.E. - ADMIN.
		ACCOUNTING
		PLANNING SURVEY
		AST. S.H.E. - FRUIT
		BRIDGE
		PRECONSTRUCTION
		RIGHT OF WAY
		AST. S.H.E. - D.C.R.
		CONSTRUCTION
		MAINTENANCE
		MATERIALS
		OTHER

Date Recd.	Precost				
		Act	Info	MAIL ROUTE	INITIAL
				20 Civil Engrg	
				20 Planning Design	
				20 Mechanical Design	
				20 Water Supply	
				20 Land Drainage	
				20 Sewerage	
				20 Hydraulic	
				20 Other	
				20 Consulting	
				20 Other Roads	
				59 Consultant Design	
				File	

MONTANA HIGHWAY COMMISSION
RECEIVED DENVER
AUG - 9 1971
HELENA, MONTANA

Mr. Lewis M. Chittim, P.E.
State Highway Commission
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

In response to your request of May 13 to the Federal Water Quality Administration, a review of your draft environmental impact statement for "Project F-193(18), Culbertson-Plentywood, May 7, 1971" was made by the appropriate offices of the Environmental Protection Agency.

The draft statement adequately describes most environmental aspects of the project in which this Agency has an interest. Those descriptions indicate that the impacts on the environment will be reasonably well controlled. Therefore, we have no objection to the project.

It is suggested that the final statement would be improved by a more thorough discussion of the following:

1. The measures to be taken to prevent siltation and other water quality problems during construction, especially when culverts and the bridge over Medicine Lake are being installed.
2. The possibility of disturbing or contaminating ground water during construction.
3. The air pollution problems resulting from batch plant emissions and dust caused by construction operations. The steps that will be taken to minimize these problems in order to meet the Montana Air Quality Standards (especially the "fugitive dust" standard) should also be discussed.

We appreciate the opportunity to review the draft environmental statement on this particular project. If this Agency can be of further

assistance to you on this or other environmental protection matters,
please feel free to contact our Denver Regional Office.

Sincerely yours,

George Marienthal

George Marienthal
Acting Director
Office of Federal Activities

Date Recd. Preconst. 9/10/71		Initial	
MAIL ROUTE		Attach	
30 CUP AMH			
30 Pile D sign			
30 Sanitary Design			
31 City Engineers			
32 Sch. Hedges			
32 Landscape			
33 Last Region			
34 H. Gratic			
36 Traffic			
37 Pub. Hearing			
38 San. Roads			
38 Consultant Design			
File			

MONTANA HIGHWAY COMMISSION
 RECEIVED
 AUG 12 1971
 HELENA, MONTANA

ENVIRONMENTAL PROTECTION AGENCY
 WASHINGTON, D.C. 20460

AUG 11 1971

Mr. Lewis M. Chittim, P.E.
 State Highway Commission
 Montana Highway Commission
 Helena, Montana 59601

Dear Mr. Chittim:

Date Recd. Preconst. 8-12-71
 MAIL ROUTE
 30 COP 1 KMH
 30 Field Design
 30 Surveying Design
 31 Office Engineers
 32 West Region
 32 Landscape
 33 East Region
 34 Hydraulic
 36 Traffic
 37 Pub. Hearing
 38 Soc. Roads
 39 Consultant Design
 Info
 Attach
 Initial

We have reviewed the Draft Environmental Impact Statement for
 "Highway Project F-193 (18), Culbertson-Plentywood."

Although the Statement describes the aspects of the project adequately
 we feel that a more thorough discussion is needed of the following:

1. The measures that will be taken to prevent siltation and other water quality problems during construction, especially when the culverts and the bridge over Medicine Lake are being installed.
2. The possibility of disturbing or contaminating ground water during construction.
3. The air pollution problems resulting from batch plant emissions and dust caused by construction operations. The steps that will be taken to minimize these problems in order to meet the Montana Air Quality Standards (especially the "fugitive dust" standard) should be discussed.

If you have any questions concerning these comments, please
 contact Mr. Donald P. Dubois of our regional office in Denver,
 Colorado.

Sincerely,

George Marienthal

George Marienthal
 Acting Director
 Office of Federal Activities

RETURN TO M & F
 MAY BE RETURNED
 STATE HIGH. ENG.
 CHIEF COUNSEL
 ASST. S.H.E. ADMIN.
 RECORDS
 PLANNING SURVEY
 ASST. S.H.E. ENGR.
 BRIDGE
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 RIGHT OF WAY
 ASST. S.H.E. UTIL.
 CONSTRUCTION
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ACT INF MAY BE
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1. Following is Section 07.11 of our Standard Specifications.
This section covers siltation and water pollution.

07.11 PROTECTION AND RESTORATION OF PROPERTY AND LANDSCAPE

- (A) General - The contractor shall be responsible for the preservation of all public and private property. All land monuments and property marks shall be protected from disturbance or damage until the engineer has witnessed or referenced their location.

The contractor shall be responsible, until the contract is accepted, for all damage or injury to property resulting from any act, omission, neglect, misconduct, defective work or materials or from his manner or method of executing work.

The contractor shall replace or restore damaged or injured property, to a condition similar or equal to that existing before such damage or injury was done, at no cost to the Commission.

- (B) Siltation Control - The contractor will be required to prevent construction operations or the results of construction operations from silting rivers, streams and impoundments (lakes, reservoirs and the like). The construction of planned drainage facilities and the performance of other contract work that will help control

siltation shall be done as soon as is practicable. The siltation control measures described herein shall be continued until the permanent drainage facilities have been constructed.

The contractor shall shape the subgrade on road beds in the immediate vicinity of rivers, streams or impoundments prior to any lengthy suspension of construction operations. Shaping shall be done in a manner that will permit runoff waters to be intercepted along the outer edges of the subgrade and drained from the subgrade by temporary slope-drains. The temporary slope-drains shall be located along fill slopes at 500-foot intervals, approximately, and shall be paved or covered with waterproof materials.

Construction operations in rivers, streams and impoundments shall be restricted to those areas where channel changes are shown on the plans and to those areas which must be entered for the construction of temporary or permanent structures, unless other areas are approved. Temporary bridges, culverts or similar structures shall be used wherever crossings of a stream or river cause excessive siltation. Mechanized equipment shall not be operated in rivers, streams or impoundments except as may be required to construct channel changes and temporary or permanent structures. Rivers, streams and impoundments

shall be promptly cleared of such obstructions as false-work piling or other obstructions placed therein or caused by the construction operations, after the purpose of such obstructions have been served. Debris in rivers, streams or impoundments placed therein or caused by construction operations shall be promptly removed. Excessive siltation resulting from placing material excavated from the roadway, channel changes, cofferdams, and the like near to or in rivers, streams or impoundments shall be promptly corrected.

- (C) Water Pollution - The contractor shall exercise every reasonable precaution throughout the life of project to prevent pollution of rivers, streams or impoundments. Pollutants such as chemicals, fuels, lubricants, bitumens, raw sewage and other harmful wastes shall not be discharged into or alongside of rivers, streams, impoundments or into natural or manmade channels leading thereto. The contractor shall meet the requirements of the applicable regulations of the State Fish and Game Department, State Board of Health and other state or federal regulations relating to the prevention or abatement of water pollution.

The contractor shall dispose of all refuse and discarded materials in an approved location.

2. It does not appear that the proposed project will significantly alter the ground water level or contaminate the ground water.
3. Following is Section 07.20 of our Standard Specifications. This section covers smoke and dust control.

07.20 SMOKE AND DUST CONTROL

Whenever a hot-mix paving plant, aggregate crusher or similar operation is to be conducted, the contractor shall acquaint himself with all local conditions, city, county and state laws pertinent to air pollution before commencing his operations. It is possible that legal action may be instituted against the contractor to force him to conduct his operation in a dust and smoke free manner. The contractor should be prepared to operate in a manner satisfactory to a restraining court order. This may mean employing adequate dust filters and smoke collectors or use of other means meeting the existing requirements. No additional payment will be made to the contractor for the use or installation of dust or smoke control devices nor for the disruption of work or loss of time occasioned by the installation of such control devices, or for any other related reasons.

The contractor shall have informed himself of all applicable Montana State Board of Health requirements and similar state or federal requirements, pertaining to control of or abatement of air pollution. He shall have provided or be

prepared to provide such air pollution control measures as are required to comply with the minimum standards established by such agencies.



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL BUILDING, 19th AND STOUT STREETS
DENVER, COLORADO 80202

REGION VIII

June 2, 1971

COMMISSION

JUN - 7 1971

HELENA, MONTANA

IN REPLY REFER TO
8SDA

Your reference:
F 193(18)
Culbertson-
Plentywood

Mr. Lewis M. Chittim
State Highway Engineer
Montana Highway Department
Helena, Montana 59601

Dear Mr. Chittim:

Subject: Comments on Draft Environmental Impact Statement - Highway
Construction with Bridge and Culverts, Sheridan County,
Montana

We have reviewed the subject draft Environmental Impact Statement which was transmitted to us by your letter of May 13, 1971.

This Environmental Impact Statement is very good. It provides sufficient general information concerning the impact of the proposed project on the environment to enable us to evaluate this aspect of the project. As you may know, HUD is primarily concerned with (1) the effect of a proposed action on the environment, and (2) the consistency of such action with the comprehensive planning for the area.

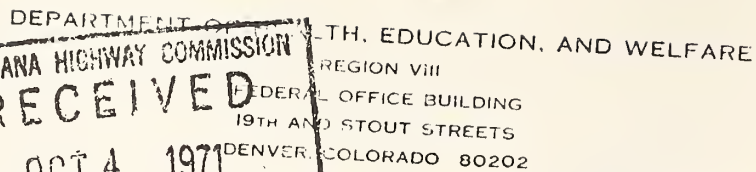
Our only comment on the proposed project is in regard to the degree to which those portions of the highway, including the approaches to existing bridges, which will not be included in new construction will be obliterated. These areas should be completely obliterated and restored to make them compatible with the surrounding environment.

Sincerely,

Robert J. Matuschek
Robert J. Matuschek
Special Assistant

Act	Info	MAIL ROUTE	Attach	Initial
		30 GDF 1 AMH		
		30 Field Design		
		30 Surrounding Design		
		31 GDF 2000 Comments		
		31 GDF 2000A		
		31 GDF 2000B		
		31 GDF 2000C		
		31 GDF 2000D		
		31 GDF 2000E		
		31 GDF 2000F		
		31 GDF 2000G		
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		31 GDF 2000H		
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		31 GDF 2000J		
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		31 GDF 2000L		

The approaches to the existing bridges and the existing two bridges will be completely obliterated and the area made compatible with the surrounding environment.



SEP 30 1977

OFFICE OF THE REGIONAL DIRECTOR

Your Reference:

Louis M. Chittam, P.E.
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

F 193 (18)
Culbertson-Plentywood
08-24.2 DB2

Dear Mr. Chittam:

Thank you for the copy of the Draft Environmental Statement of May 13 regarding Highway Project F 193 (18).

The Statement was reviewed by our Public Health Service Office with no particular comments. We appreciate the opportunity to review the document and wish you success in the development of the Route 16 Project.

Sincerely,

Rulon R. Garfield
Acting Regional Director

Date Recd. Preconst		10-7-71	
Act	Info	Attach	Initial
	30 C. Design		
	30 H. Design		
	30 S. Design		
	31 C. Designers		
	32 H. Design		
	32 S. Design		
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	34 C. Design		
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	35 C. Design		
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JUN 29 1971

HELENA, MONTANA

[illegible][illegible]

MONTANA HIGHWAY COMMISSION

HELENA, MONTANA 59601

LEWIS M. CHITTIM
STATE HIGHWAY ENGINEER

October 4, 1971

33-JG

IN REPLY REFER TO

Ref: FO LIA 6

F 193(18)

Culbertson-Plentywood

Department of the Army
Office of the Secretary of the Army
Office of Civil Defense
Region 8
Bothell, Washington 98011

Attention: Mr. William E. Hanzen

Dear Mr. Hanzen:

Attached is a copy of the Draft Environmental Statement of May 13, 1971 covering Montana Highway Route 16 and the Medicine Lake National Wildlife Refuge on the above project as requested in your letter of September 29, 1971.

Very truly yours,

LEWIS M. CHITTIM, P.E.,
State Highway Engineer

By Grover O. Powers
Grover O. Powers, P.E.,
Preconstruction Engineer

33-GOP/JG/1k

Attachment

cc: J. Gipe ✓

GLOUCESTER, NEW JERSEY

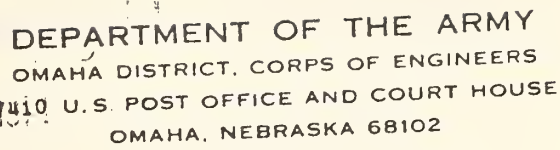
H. HANSEN

G. E. HILL

WILLIAM H. HILL

R. L. COLLEY

JOHN D. WHITEHEAD



U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

7 October 1971

[illegible]

I refer to your letter of 15 September 1971, transmitting the Section 4(f) Determination for Project F 193(18) Culbertson-Plentywood, on Montana State Route 16.

The increased noise, generated by increased traffic on the highway, may interfere with the breeding and nesting of waterfowl.

Sincerely yours,

R. G. BORDEN
Chief, Engineering Division

The noise level would be the same for increased traffic on the existing highway and for increased traffic on the improvement planned for this project. Construction noises would be of a temporary nature only.



United States Department of the Interior

FISH AND WILDLIFE SERVICE BUREAU OF SPORT FISHERIES AND WILDLIFE

730 N. E. PACIFIC STREET
P. O. BOX 3737
PORTLAND, OREGON 97208

May 7, 1971

*F 193 (18)
Culbertson - Plentywood*

Mr. G. E. Flemming, P.E.
Division Engineer
Montana State Highway Department
Wolf Point, Montana 59201

Dear Mr. Flemming:

We are in receipt of your letter of April 13, 1971 addressed to Refuge Manager Donald M. White of our Medicine Lake National Wildlife Refuge.

We definitely concur with your contention a turn-out on the newly-proposed highway at Medicine Lake Refuge will serve a dual purpose. A very definite traffic hazard will be eliminated, and certainly a turn-out will enhance the general public's opportunities to view wildlife common to the area.

Please consider this a formal request for inclusion of such a turn-out in the proximity of the new bridge currently proposed for Medicine Lake on the east side of the proposed highway. We would appreciate receipt of copies of the plans and design specifications for review by our Engineering staff. Your cooperation is much appreciated.

Sincerely,

Travis S. Roberts
Acting Regional Director

The turn-out will be provided.



United States Department of the Interior

BUREAU OF RECLAMATION

Regional Office, Region 6

P. O. Box 2553

Billings, Montana 59103

IN REPLY REFER TO: 205

MAY 20 1971

State Highway Commission
Attention: Mr. Grover O. Powers
Helena, Montana 59601

Gentlemen:

We appreciate the opportunity to review and comment on your environmental statement for F 193(18), Culbertson-Plentywood.

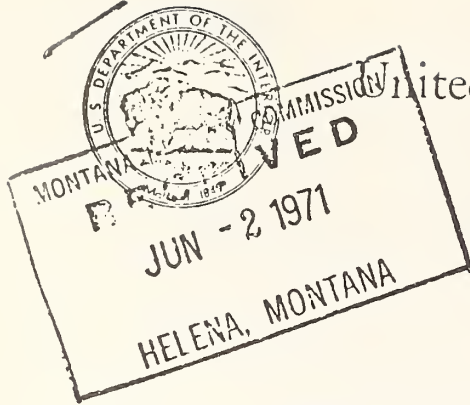
Since our Medicine Lake North and South Units are no longer being considered in our current plans for the development of the Northeast Montana Division, we will not have applicable comments to make on your environmental statement. Our Fort Peck-Williston 115-kv Transmission Line crosses your Culbertson-Plentywood Highway to the south of this stretch of relocation, consequently, we have nothing to offer in respect to that feature.

Sincerely yours,

Martin H. Cleary Jr.

Acting Regional Director

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20240

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Dear Mr. Chittim:

This is in regard to your letter of May 13, 1971, transmitting a draft environmental statement for review by the Department of the Interior. In the future, we would appreciate receiving sixteen (16) copies of environmental statements on projects of this type. These copies will meet the needs of the Department's Washington and field-level offices including the Bureau of Outdoor Recreation, the Bureau of Sport Fisheries and Wildlife, the National Park Service, the Geological Survey, the Bureau of Indian Affairs, the Bureau of Land Management, and the Bureau of Reclamation.

At present we are reviewing our procedures for handling environmental statements and hope to revise them in the coming months. Until they are revised, such statements should continue to be sent to:

Mr. Jack O. Horton
Deputy Assistant Secretary
for Programs
Department of the Interior
Washington, D. C. 20240

Sincerely yours,

Jack O. Horton
Deputy Assistant Secretary
for Programs

Mr. Lewis M. Chittim
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

RETURN TO M & F																			
MAY BE RETURNED																			
STATE HWY. ENGR.																			
CHIEF COUNSEL																			
ASST. S.H.E. - ADMIN.																			
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United States Department of the Interior

GEOLOGICAL SURVEY

Denver Federal Center

Denver, Colorado 80225

Water Resources Division

IN REPLY REFER TO:

Your ref:

F 193(18)

Culbertson-Plentywood

08-24.2 DB 2

June 7, 1971

Mr. Grover O. Powers
Preconstruction Engineer
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Powers:

We have reviewed the environmental impact statement for the Culbertson-Plentywood project transmitted to this office with your letter of May 13, 1971. The draft of the statement includes neither a description of the water resources of the area nor a statement regarding the impact of the proposed action on the water resources. The omission may be an oversight; however, we feel the water resources should be discussed in the final statement even though we would anticipate no adverse lasting effects to the water resources of the area.

Yours very truly,

Thad S. McLaughlin

Thad G. McLaughlin
Regional Hydrologist

cc:

G. H. Davis, Code 4300 0016
w/incoming statement

Average rainfall is mentioned briefly on page 13. There is some discussion of streams on pages 11 and 12 and Medicine Lake is discussed in several places. As no adverse effects upon the water resources are anticipated, the discussion is not elaborate.



United States Department of the Interior

OFFICE OF THE SECRETARY

MISSOURI BASIN REGION

IN REPLY REFER TO:

MISSOURI BASIN FIELD COMMITTEE
FEDERAL BUILDING, P. O. BOX 2530
BILLINGS, MONTANA 59103

July 6, 1971

Mr. Lewis M. Chittim
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

In response to your May 13 letter to Deputy Assistant Secretary Horton, I am pleased to transmit the Department of the Interior's comments on the draft Environmental Statement for Federal Aid Route 22, Culbertson to Plentywood. These comments represent reviews conducted by field offices of the National Park Service, Bureau of Sport Fisheries and Wildlife, Bureau of Outdoor Recreation, and field and headquarters offices of the U. S. Geological Survey.

studenit Please note that this project will require the use of public owned land in the Medicine Lake National Wildlife Refuge. Section 4(f) of the Department of Transportation Act of 1966 as amended is therefore applicable. Section 4(f) requires that the Secretary of Transportation can approve transportation projects which require the use of public owned land from a public park, recreation area and waterfowl or wildlife refuge, and any land from a historic site only if there is no feasible and precedent alternative and the project includes all planning to minimize harm to the area. He is also required to consult with the Secretaries of the Interior and Housing and Urban Development for their comments on how to preserve the natural beauty of the lands traversed. The Medicine Lake National Wildlife Refuge clearly qualifies as a refuge and a recreation area within the meaning of the Section 4(f).

Under delegation of authority of the Secretary of the Interior as published in the Federal Register, Vol. 32, No. 226, page 16059, November 22, 1967, the Director, Bureau of Outdoor Recreation, is responsible for the Secretary's comments on Section 4(f) matters except historic sites referred to him by the Secretary of Transportation. The Secretary of the Interior's authority respecting historic sites has been delegated to the Director, National Park Service.

We understand that under current regulations of the Federal Highway Administration, a Section 4(f) determination, accompanied by an Environmental Statement, is required before this project can be approved.

However, no Section 4(f) determination was furnished with the Environmental Statement. We assume that this will soon be submitted through established channels within the Federal Highway Administration and the Department of Transportation for referral to the Department of the Interior for review by the Bureau of Outdoor Recreation. Therefore, our comments on the draft Environmental Statement must in no way be construed to imply Bureau of Outdoor Recreation's concurrence with the subsequent Section 4(f) determination.

In general, the thrust of the statement is satisfactory. More detail should be provided respecting the impact on the Medicine Lake National Wildlife Refuge. Specific recommendations on this are enclosed along with other comments.

Sincerely yours,

Harrell F. Mosbaugh

Harrell F. Mosbaugh
Regional Coordinator

Enclosure

cc:

Bureau of Outdoor Recreation, Seattle
✓ Federal Highway Administration, Portland
Director, Bureau of Outdoor Recreation
Director, National Park Service
Director, Bureau of Sport Fisheries & Wildlife
Director, Geological Survey
All Assistant Secretaries
Deputy Assistant Secretary for Programs
Special Assistant to the Secretary (Field Coordination)

XERO COPY XERO COPY XERO COPY

Department of the Interior Comments on
Environmental Statement for
Route 22, Plentywood to Culbertson, Montana

Comments

This proposal has no known impact on any land administered by the Department of the Interior other than the Medicine Lake National Wildlife Refuge.

Since archeological materials cannot easily be anticipated at this stage of a project, any that are subsequently uncovered during construction should be immediately brought to the attention of the National Park Service Midwest Archeological Center, 2605 North 27th Street, Lincoln, Nebraska 68504.

Only brief mention of water resources is made. Though no adverse lasting effects to the water resources are anticipated, more detail could be included.

Specific Recommendations

Section 3, Description of Existing Environment, D. Fish and Wildlife -
Reword second paragraph:

Between Stations 1177 + 79.7 and 1243 + 80, the alignment traverses the Medicine Lake National Wildlife Refuge. This refuge was established and is managed primarily as a breeding ground for migratory birds and other wildlife and to provide for the welfare of migratory birds during spring and fall migrations. In addition to the primary purposes, the refuge provides public use for hunting, nature study, boating, picnicking and wildlife viewing. The lake has been stocked with fish at intervals, but winter kill has made fishing less desirable. The marsh and lake area are excellent waterfowl production habitat. The area surrounding Medicine Lake is prairie that supports upland wildlife species, deer and antelope.

Section 4 - Evaluation of Environmental Impact

A. Environmental Impact of the Proposed Action

Insert after paragraph one - Approximately two-thirds (8-10 acres) of the project will traverse uplands presently in natural grasses or planted to crested wheat grass. That area taken for incorporation in the project will be removed from upland wildlife habitat. Approximately one-sixth (2 acres) of the area taken is

marshland and will be lost as waterfowl production habitat. Approximately one-sixth (2 acres) of the taken area is open water surface. Although this taken area represents a minor loss of habitat, it represents a reduction in space requirements for wildlife.

The presence of the high-speed highway will represent an additional intrusion on lands devoted to wildlife. Some deer cross the highway on the refuge, and some upland game birds will enter onto the highway. A minor adverse influence of adjacent habitat is anticipated due to increase in noise and increased traffic frequency.

Instead of second paragraph, insert:

Land and gravel borrow should not exceed 100,000 yards covered by the gravel and haul road right-of-way granted on October 8, 1970, outside the right-of-way take. Any additional fill material should be taken from other lands than those dedicated to wildlife purposes and should occur off the Medicine Lake National Wildlife Refuge. No additional borrow permits are anticipated from the wildlife refuge. The borrow area will be reshaped and will blend into the natural terrain after borrow has been removed.

E. Irreversible and Irretrievable

Insert after first sentence: Those lands taken within the Medicine Lake National Wildlife Refuge represent a reduction in habitat and space requirement for wildlife and will be lost for those purposes.

Section 6 - Problems and Objections

Add after last paragraph: Those lands taken from the Medicine Lake National Wildlife Refuge represent a reduction in lands established and dedicated to wildlife purposes by the United States and should be replaced in kind adjacent to the Medicine Lake National Wildlife Refuge.

The second paragraph under Fish and Wildlife in Section III has been reworded as suggested.

Section IV-A has been reworded as suggested.

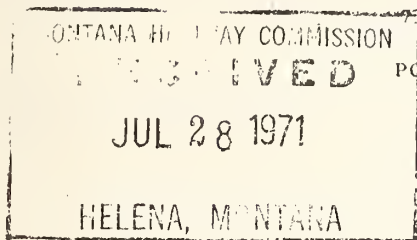
Section IV-E has been reworded as suggested.

Statements regarding replacement of the land to be taken from the Medicine Lake National Wildlife Refuge are included elsewhere.



United States Department of the Interior

FISH AND WILDLIFE SERVICE BUREAU OF SPORT FISHERIES AND WILDLIFE



30 N. E. PACIFIC STREET
P. O. BOX 3737
PORTLAND, OREGON 97208

July 23, 1971

LA-ROW-Montana
Medicine Lake NWR
(R-) Montana Highway
Commission

Mr. Lewis M. Chittim, P.E.
State Highway Engineer
Montana Highway Commission
Helena, Montana 59601

Dear Mr. Chittim:

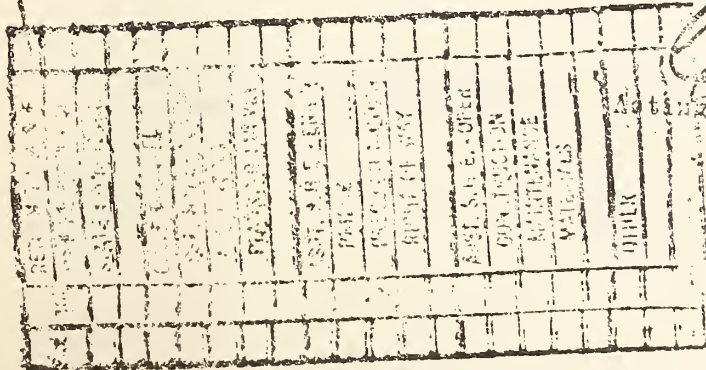
Reference is made to your letter of June 4, 1971, your reference: F 193 (21) PE Culbertson - Plentywood 62-MIN, regarding your proposal application for reconstruction of a section of State Highway 16 that crosses our lands at the Medicine Lake National Wildlife Refuge.

By letter of July 6, 1971, from the Regional Coordinator of the Department of the Interior, you were furnished the Department of Interior's comments on the draft Environmental Statement for Federal Aid Route 22, Culbertson to Plentywood. You were also advised that a Section 4 (f) determination should be submitted through established channels of the Federal Highway Administration for referral to the Department of Interior for review.

You will note under Section 6 - Problems and Objections of the Environmental Statement, it is recommended that the lands taken from the refuge be replaced in kind by other lands adjacent to the Medicine Lake National Wildlife Refuge. This, of course, is dependent upon the project being approved after receipt of the Section 4 (f) determination. We sincerely hope that you are able to submit this in the near future for further review.

Sincerely yours,

Clay E. Crawford
Clay E. Crawford
Regional Director





United States Department of the Interior

OFFICE OF THE SECRETARY MISSOURI BASIN REGION

BUILDING 67, DENVER FEDERAL CENTER
DENVER, COLORADO 80225

November 29, 1971									
REGION 1	REGION 2	REGION 3	REGION 4	REGION 5	REGION 6	REGION 7	REGION 8	REGION 9	REGION 10
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Mr. Lewis M. Chittim, P. E.
State Highway Engineer
Montana Highway Commission
Helena, MT 59601

Dear Mr. Chittim:

In response to your September 15 letter transmitting the Section 4(f) Determination for the above referenced highway project, I am pleased to transmit the Department of the Interior's comments. These comments represent reviews conducted by field offices of the Bureau of Sport Fisheries and Wildlife and the Bureau of Outdoor Recreation.

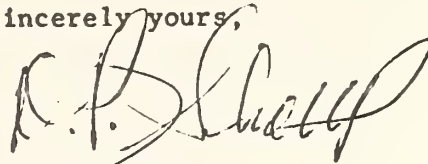
Because of the nature of the proposed project, that is, widening and upgrading of the existing highway to accommodate the larger traffic volume in a safe and more efficient manner, we agree that there is no feasible and prudent alternative. The penultimate paragraph of the Determination indicates agreement in principle that the Montana Highway Commission would provide replacement lands to satisfy the Section 4(f) requirement that "such program includes all possible planning to minimize harm resulting from such use." We believe this can be adequately satisfied if the approximately 18.0 acres in Section 25, T. 32 N., R. 55 E. owned by Mr. William Deem were acquired and transferred to the Federal Wildlife Refuge. In addition, it will be necessary that the land be fenced and posted as part of the refuge by the State at the time it is transferred to the United States. All costs associated with this should be borne by the State.

In addition, our concurrence with the 4(f) Determination is also subject to provision that a turnout be provided for use by the Bureau of Sport Fisheries and Wildlife between stations 1220 and 1221+60. Specific design features to be incorporated in this turnout will be supplied directly by the Bureau of Sport Fisheries and Wildlife. Also, we request that when construction plans have been prepared they be submitted directly to the Manager of the Medicine Lake National Wildlife Refuge for comment on features that relate to the refuge management, such as culvert placement, right-of-way fencing and reposting, etc.

Subject to the incorporation of the above as conditions of Federal Highway Administration approval of the Section 4(f) Determination, it otherwise

appears satisfactory for the interests of the Department of the Interior. We appreciate the cooperation you have extended in this matter and believe that a mutually acceptable solution has been obtained.

Sincerely yours,



D. P. Shoup
Field Representative,
Missouri Basin Region

cc:

Federal Highway Administration, Portland
Bureau of Sport Fisheries & Wildlife, Portland
Bureau of Outdoor Recreation, Pacific Northwest Region
Department of the Interior, Washington, D.C., Deputy Asst. Secretary Blanchard

Date Recd. Preconst. <u>12-3-71</u>				
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		30 Sanitary Design		
		31 Civil Engineers		
		32 West Region		
		32 Landscape		
	✓	33 Easement		
		34 Hydraulic		
		35 Civil		
		37 Civil		
		Consult and Design		
	✓	File		

As stated elsewhere in this statement, replacement land will be secured. All costs associated with the securing and fencing of the replacement land will be borne by the state.

Also, the requested turn-out will be provided.

UNITED STATES GOVERNMENT

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Memorandum

TO : HELL, State Highway Commission
Helena, Montana

DATE: May 19, 1971

FROM : H. N. Stewart, Division Engineer
Helena, MontanaSUBJECT: Montana F 193(18)
Culbertson - Plentywood

RETURN TO 11-16	MAY BE RETURNED TO 11-16	STATE HWY. DEPT.	CHIEF COUNSEL	ASST. S.H.E. - ADMIN.	ACCOUNTING	PLANNING SURVEY	ASST. S.H.E. - ENGIN.	BRIDGE	PRECONSTRUCTION	RIGHT OF WAY	ASST. S.H.E. - OPER.	CONSTRUCTION	MAINTENANCE	MATERIALS	OTHER

In reply refer to: 08-24.2 DB

We have received the Draft Environmental Statements for the above project. No 4(f) statement was included although it appears there will be a taking from the Medicine Lake National Wildlife Refuge. FHWA Notice dated February 10, 1971, indicated that both 4(f) and 102(2)(C) statements are necessary for simultaneous processing.

Section 4(f) statements are requested for this project. By illustrating that the effect of the proposed project has been discussed and coordinated with those responsible for the Medicine Lake National Wildlife Refuge at both the local and regional levels, the Draft Environmental Statement will no doubt be processed with fewer delays.

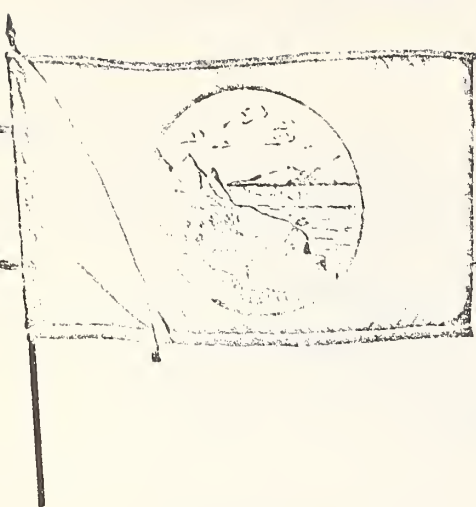
We have forwarded the Draft Environmental Statement to Washington but we are not certain what action they will take without the 4(f) determination.

We note you have not sent copies of your Draft Environmental Statement to the Environmental Protection Agency, Washington, D. C., or the Department of Interior, Washington, D. C., as required in the April 23 Federal Register which we forwarded to you recently.

In our preliminary review it appears that under Paragraph 3(d), Fish and Wildlife, more emphasis could be placed on the Medicine Lake National Wildlife Refuge. Certainly a refuge such as this must play a part in the National Wildlife Plan for Water Fowl and Other Wildlife. Under Paragraph 4, Evaluation of Environmental Impact, such features as acreage taken, etc., would seem significant. The completion of a draft environmental impact statement with no reference to contacts with the agency operating a feature like the Medicine Lake National Wildlife Refuge appears very inappropriate. We would think in the normal development of a project there should be contacts with the agency responsible for operation of a wildlife refuge or any facility that is protected by national law under Section 4(f) of the Federal-Aid Highway Act.



BUY U.S. SAVINGS BONDS REGULARLY ON THE PAYROLL SAVINGS PLAN



Helena, Montana 59601

May 26, 1971

33-JG

F 193(18)
Culbertson-Plentywood

08-24.2 DB2

U.S. Department of Transportation
Federal Highway Administration
Helena, Montana 59601

Gentlemen:

Please refer to your letter of May 19, 1971 pertaining to Draft Environmental Statements and 4(f) statements for the above project.

The 4(f) statement is now being processed by Right-of-Way which will take approximately from three to four weeks to amass the field information and prepare the documents for submission to the Federal Highway Administration.

Contact had been made with Mr. Donald White, local manager of the Medicine Lake National Wildlife Refuge of Medicine Lake, Montana, at the time of the location survey and Mr. White had been consulted for the alignment and about the borrow pit and the surfacing pit. Mr. White was the local man for the Refuge and agreed with the planning, but we were aware that higher authority for the Medicine Lake National Wildlife Refuge must be consulted and by means of the Environmental Impact Statement which has been sent out and by means of the Section 4(f) Determinations soon to be submitted, to the Portland, Oregon and Washington, D.C., the higher levels of the National Wildlife Refuge will have been contacted.

Copies of the Environmental Impact Statement have already been sent to the Environmental Protection Agency, Washington, D.C., and to the Department of Interior, Washington, D.C. as suggested in your letter.

We want to thank you for calling our attention to the oversight and omission of the two agencies mentioned above. The distribution list has been corrected to include the two additions.

Paragraph 3(d), Fish and Wildlife of the Environmental Impact Statement will be elaborated upon as you have suggested at the time of the final report is prepared. The additional acreage taken for the construction will be small as the present highway will be incorporated into the new roadway embankment.

GEORGE VUCANOVICH, CHAIRMAN

MS HANSON, CHAIRMAN

RE CUFFEY

May 26, 1971

Page 2, Cont'd.

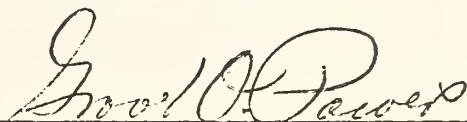
Grover O. Powers, P.E.,
Preconstruction Engineer

The existing bridges and approaches will be used for traffic and when the new bridge and approaches have been completed, the existing two bridges will be removed and the approaches will be obliterated. As can be seen the additional right-of-way needed for the new highway will be minute. The exact acreage will be a part of the 4(f) statement when submitted.

We again want to thank you very much for all of your suggestions and the additional information will be made a part of the final draft and part of the 4(f) statements sent to you.

Very truly yours,

LEWIS M. CHITTIM, P.E.,
State Highway Engineer

By 
Grover O. Powers, P.E.,
Preconstruction Engineer

33-JG/lm

cc: J. Gipe ✓
J.R. Beckert
R.E. Champion

33-JG

HELENA, MONTANA
JUN 23 1971
RECEIVED
MONTANA FISH & WILDLIFE COMMISSION

June 21, 1971

08-24.2 DB2

By: R. N. Jones
Assistant Division Engineer

Montana F 193(18)
Culbertson - Plentywood

* Attached are comments received from our Regional Environmental Coordinator for your consideration in the preparation of the final environmental statement for the subject project. We have not yet received comments from our Washington office or D.O.T.'s Office of Environment and Urban Systems. These will be forwarded when received.

* Attachment

[illegible][illegible]

UNITED STATES GOVERNMENT

Memorandum

38a

U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 222 S. W. Morrison Street
 Portland, Oregon 97204

DATE: June 14, 1971

In reply refer to: 03-00.36

TO : Mr. H. N. Stewart
 Division Engineer
 Helena, Montana

FROM : I. C. Lloyd *D.H. Potter*
 for Regional Environmental Coordinator
 Portland, Oregon

SUBJECT: Montana F 193(18)
 Culbertson - Plentywood
 Draft Environmental Statement and
 Section 4(f) Determination

We acknowledge receipt of a copy of your May 17, 1971 memorandum to the Council on Environmental Quality which transmitted copies of the draft environmental statement for the subject to CEQ, FHWA R-8, FHWA - Washington office and DOT-TEU. Receipt is also acknowledged of your May 19, 1971 letter to the State indicating a Section 4(f) Determination should have been simultaneously submitted with the draft environmental statement, and the State's response of May 26, 1971.

Normally, the purpose of the draft environmental statement and the Section 4(f) Determination is not intended to serve as an instrument to contact higher levels of the U. S. Fish and Wildlife Service in Portland, Oregon, and Washington, D. C. concerning Medicine Lake National Wildlife Refuge. We agree with your comments of May 19, 1971. The State should have contacted higher Federal officials much earlier in the planning process concerning this highway proposal.

Generally, the draft environmental statement is well developed and follows closely the format suggested in your letter of April 26, 1971 to the State, subject: Environmental Statements and Negative Declarations. In addition to your preliminary review of May 19, the Regional Environmental Committee has the following comments to offer in aiding the preparation of the final environmental statement:

- (1) A larger scale, less cluttered map is desired.
- (2) Montana Projects F 193(11) and (12) are mentioned under Item 2. DESCRIPTION OF PROJECT. We assume these to be the projects which have been rebuilt to the north and south of the subject project. This could be clarified.
- (3) Under Item 3D. Fish and Wildlife, the various species predominant in the project area, and especially within the Refuge, should be identified.

-more-



BUY U.S. SAVINGS BONDS REGULARLY ON THE PAYROLL SAVINGS PLAN

(4) Under Item 4A. Environmental Impact of the Proposed Action, it is desirable to first state what the impact of the proposal would be on the various features of the man-made and natural environment previously discussed under Item 3. For instance, what is the impact on adjacent farmland? How many acres devoted to crops will be lost? Are these lands irrigated, and if so, what would be the resultant impact on buried pipelines, canal waterways, etc. The attached maps do not show sufficient detail and such information is not included elsewhere in the draft statement. What would be the impact on the ecological systems of fish, game and marine life? The effects of removing borrow from the Refuge is not discussed. Perhaps this would be a beneficial impact, particularly if it fits into the management plans for the Refuge. What is the impact of replacing 4 out of 5 bridges with culverts? Will the same waterway openings as now exist be maintained or enhanced? If a lesser waterway opening is planned, would there be adverse effects of flooding the Refuge lands or other private holdings?

(5) A list of agencies to whom the draft environmental statement was sent is desired on future submittals.

1. New exhibits are included
2. This has been clarified in DESCRIPTION OF PROJECT
3. Section III-D has been reworded
4. Section IV-A has been reworded
5. A list of agencies that were furnished the draft environmental statement and 4(f) determination is included in the summary sheet.

UNITED STATES GOVERNMENT

Memorandum

U.S. DEPARTMENT OF TRANSPORTATION
MONTANA HIGHWAY FEDERAL HIGHWAY ADMINISTRATION
RECEIVED
JUL 20 1971
DATE: July 20, 1971
HELENA, MONTANA

DATE: July 20, 1971

~~In reply~~ refer to: 08-24.2 DB

TO State Highway Commission
Helena, Montana 33:JG

FROM H. N. Stewart, Division Engineer
Helena, Montana

SUBJECT: Montana F 193(18), Culbertson - Plentywood

By: W. S. Dunbar
District Engineer

- * Attached for your information and consideration is a copy of a July 14, 1971 memorandum from our Assistant Secretary for Environment and Urban Systems. We understand you have received comments from the Department of Interior Regional Coordinator in Billings. A copy is attached.

You will note that several offices are awaiting the 4(f) Statement prior to taking action on your request.

* Attachments

[illegible]

17

18

19

CHIEF ENGINEER

ASST. S.I.E. - ADMIN.

ACCOUNTING

PLANNING SURVEY

ASST. S.I.E. - TRAIL

BRIDGE

TRAIL CONSTRUCTION

RIGHT OF WAY

ASST. S.I.E. - CIVIL

CONSTRUCTION

MAINTENANCE

PIPING

[illegible]

BUY U.S. SAVINGS BONDS REGULARLY ON THE PAYROLL SAVINGS PLAN

UNITED STATES GOVERNMENT

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Memorandum

DATE: JUL 14 1971

SUBJECT: Draft Environmental Impact Statement: Project
F-193(18), Culbertson-Plentywood, Montana

In reply
refer to: TEU-12

FROM : Assistant Secretary for Environment
and Urban Systems

TO : H. N. Stewart, Division Engineer, FHWA,
Helena, Montana

We have reviewed the subject project and concur in the views expressed in your May 19, 1971, memorandum that a Section 4(f) submission is necessary to evaluate the impact of the project on the Medicine Lake National Wildlife Refuge. We also look forward to receiving the views of those responsible for the Medicine Lake National Wildlife Refuge at both the local and regional levels, and the views of the Department of the Interior, the Environmental Protection Agency, agencies which were omitted from the list of recipients of the draft.

When we are in receipt of the Section 4(f) submission, we shall be in a position to give it full consideration and to comment on the draft environmental impact statement.

Herbert F. DeSimone
Herbert F. DeSimone
Assistant Secretary

cc: Regional Federal Highway Administrator
Portland, Oregon

Act	Int	
		DIV ENGR
		ENG COORD
		ASST EN-CO
		ADM MGR
		FIN SPEC
		P&R ENGR
		R/W OFFICER
		ENV ENGR
		DE P ENGR-A
		AREA A-1
		AREA A-2
		AREA A-3
		DE P ENGR-B
		AREA B-1
		AREA B-2
		AREA B-3
		ASST AREA
		DE SUPV
		AUDITORS
		PRO CONT

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

to : State Highway Commission 33-JG
Helena, Montana

DATE: October 28, 1971

In reply refer to: 08-24.2 DB2

FROM : H. N. Stewart, Division Engineer
Helena, Montana

SUBJECT: Montana F 193(13) Culbertson - Plentywood
Draft Environmental/Section 4(f) Statement

Please refer to your September 14, 1971, letter which transmitted a proposed Section 4(f) determination for the subject project for review and comment.

- * Attached is a copy of comments received from our Regional Environmental Coordinator. Your review and consideration of these comments prior to preparing the final Environmental/Section 4(f) statement will be appreciated.

- * Attachment

* Attachment

Date Recd. Proposed: 10-29-71

NO.	DATE	STATE	ROOM	DATE	NO.	DATE	STATE	ROOM	DATE
30	10/29/71	CA	1000	10/29/71	31	10/29/71	CA	1000	10/29/71
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BUY U.S. SAVINGS BONDS REGULARLY ON THE PAYROLL SAVINGS PLAN

UNITED STATES GOVERNMENT

Memorandum

U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

222 S. W. Morrison Street
Portland, Oregon 97204

TO : Mr. H. N. Stewart
Division Engineer
Helena, Montana

FROM : I. C. Lloyd
Regional Environmental Coordinator
Portland, Oregon

SUBJECT: Montana Project F 193(18)
Culbertson to Plentywood
Draft Environmental/Section 4(f) Statement

DATE: October 26, 1971

In reply refer to: 08-00.36

Reference is made to your September 15, 1971 memorandum which transmitted the Section 4(f) portion of the draft environmental/Section 4(f) statement for the subject project. Our comments were provided on the draft environmental statement by memorandum of June 14, 1971.

Generally, the Section 4(f) determination lacks information considered necessary for an adequate review of the State's proposal for taking right-of-way through the Medicine Lake National Wildlife Refuge. The Regional Environmental Committee offers the following comments for your review, prior to preparing the final environmental/Section 4(f) statement:

(1) In preparing the final submittal, the format prescribed in Appendix E of PPM 90-1 should be followed, rather than having two separate documents. This would reduce the amount of repetition now evident in both the draft environmental statement and this Section 4(f) submission. This would entail providing detailed maps, sketches, pictures, and other visual exhibits to show the specific environmental involvement on this project, which primarily concerns the Medicine Lake National Wildlife Refuge. Adequate maps showing alternatives to the proposed action should be included with the final submittal. Perhaps copies of Refuge maps can be obtained and the various alternatives, including the State's proposal, can be shown in relationship to Refuge facilities, land and water areas.

(2) The Section 4(f) statement does not discuss any alternatives to the taking of Refuge lands. Also, in re-checking the discussion of Alternatives in the draft environmental statement, the only reference made is the following comment:

"Any route that would by-pass or miss the lake would be several miles out of direction."

Section 2d. of Appendix E, PPM 90-1, requires a discussion of alternatives to the use of Section 4(f) lands. It may appear obvious to the State

-more-

BUY U.S. SAVINGS BONDS REGULARLY ON THE PAYROLL SAVINGS PLAN

GPO 501.514



that there are no feasible and prudent alternatives to the use of Refuge lands on this proposed project. However, to comply fully with PPM 90-1, the final environmental/Section 4(f) statement should be expanded to include a discussion on Alternates, including a do-nothing alternative.

It is apparent to us that a route further east of the proposal would involve even more lands from the Refuge and would require crossing a greater expanse of water. Also, a route further west of the proposal would require building the highway on new alignment, would necessitate more out-of-direction travel, and would still involve crossing a narrow strip of Refuge lands (apparently a canal or waterway of some sort from Big Muddy Creek) immediately west of the incorporated city of Medicine Lake.

(3) An explanation of the 4.6 acres of temporary construction permit involvement is desired in the final environmental/Section 4(f) statement.

(4) The final environmental/Section 4(f) statement should include maps indicating the location of the adjacent replacement lands discussed in this Section 4(f) statement.

(5) In addition to those features already discussed as steps to minimize harm, comment should be included on the State's construction procedures (standard specifications, special provisions, etc.) to control sedimentation and erosion, and to control the placement of embankment material in water and/or marsh areas.

(6) It is desirable to have a letter from the agency having jurisdiction over the Section 4(f) lands stating the significance of such lands. In this case, it is apparent the 4(f) lands to be crossed are of national significance, since this Refuge is part of the national system of wildlife and waterfowl refuges.

1. This statement is now a combined environmental/4(f) statement as required by PPM 90-1. Also, new exhibits are included.
2. Alternatives are discussed on pages 3, 4, 17 and 18.
3. Slope permits are utilized to reduce the amount of land permanently taken out of production.
4. The exact piece of land to be acquired for replacement has not yet been determined.
5. See pages 53 through 57.
6. Correspondence from the agency having jurisdiction over the refuge is included in the statement.

VIII PUBLIC HEARING

The opportunity for a combined corridor and design hearing was granted, but no requests for a hearing were received.

MONTANA HIGHWAY COMMISSION

HELENA, MONTANA 59601

April 7, 1972

H. J. ANDERSON
DIRECTOR OF HIGHWAYS

IN REPLY REFER TO

37 DDA

F 193 (18)

Culbertson - Plentywood

U.S. Department of Transportation
Federal Highway Administration
501 North Fee
Helena, Montana 59601

Gentlemen:

Enclosed is a certificate to the effect that an opportunity for a combined corridor and highway design public hearing was granted in connection with Project F 193 (18), Culbertson - Plentywood on Montana Highway No. 16 in Roosevelt and Sheridan Counties between Froid and Medicine Lake, Montana.

Official notice of this Opportunity was published in the Plentywood Herald, Plentywood, Montana on Wednesday, March 8, 1972 and Wednesday, March 15, 1972 and the Searchlight in Culbertson, Montana on Thursday, March 9, 1972 and Thursday, March 16, 1972.

Since no written requests for a public hearing were received by the stipulated date of March 31, 1972, it is considered that the Department of Highways has complied with the provisions of PPM 20-8.

Very truly yours,

H. J. ANDERSON
Director of Highways

By Grover O. Powers
Grover O. Powers, P.E.
Supervisor-Preconstruction Section

GOP:DDA:cw

Enclosures

GEORGE VUCANOVICH, CHAIRMAN
HELENA

H. S. HANSEN, CHAIRMAN
HELENA

G. R. COONEY
BUTTE

WILLIAM M. KESSNER
BLACK EAGLE

R. E. COFFEY
WOLF POINT

JOHN D. WHEELER, SECRETARY
HELENA


CERTIFICATE OF THE GRANTING OF AN OPPORTUNITY FOR A
COMBINED CORRIDOR AND HIGHWAY DESIGN PUBLIC HEARING IN CONNECTION WITH
PROJECT F 193 (18) CULBERTSON - PLENTYWOOD

This is to certify that the attached Notice of an Opportunity for a Combined Corridor and Highway Design Public Hearing was given publicity in the following manner:

1. It was advertised in the Plentywood Herald, Plentywood, Montana on Wednesday, March 8, 1972 and Wednesday, March 15, 1972 and the Searchlight, Culbertson, Montana on Thursday, March 9, 1972 and Thursday, March 16, 1972.
2. Copies of the notice were mailed to the Board of County Commissioners of Roosevelt and Sheridan Counties, the U.S. Postmasters of Homestead, Medicine Lake and Froid, Montana, the Mayors of Medicine Lake and Froid, Montana, the Medicine Lake Wildlife Refuge, Medicine Lake, Montana and the Bureau of Sport Fisheries and Wildlife, Portland, Oregon.

It is further certified that the Department of Highways has not received by the specified postmark date of March 31, 1972 any written requests that a public hearing be held in connection with the proposed project.

The Department of Highways therefore considers that it has complied with the provisions of PPM 20-8 regarding the affording of any opportunity for a combined corridor and highway design public hearing.



Grover O. Powers, P.E.
Supervisor-Preconstruction Section

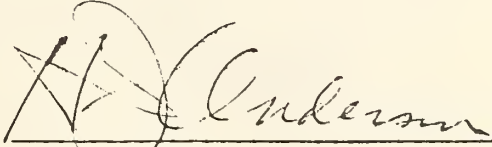
NOTICE OF AN OPPORTUNITY FOR A COMBINED CORRIDOR
AND HIGHWAY DESIGN PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 116 of the FEDERAL AID HIGHWAY ACT OF 1956 and Policy and Procedure Memorandum 20-8 issued January 14, 1969 by the U.S. Department of Transportation, an opportunity is hereby afforded to interested persons or parties to request that a Combined Corridor and Highway Design Public Hearing be held to discuss the proposed location, design and construction of a highway project in Roosevelt and Sheridan Counties on Montana Highway No. 16 beginning approximately 1.3 miles north of Froid, Montana and extends northerly on Montana Highway No. 16, 9.6 miles to the community of Medicine Lake, Montana. This proposed project will include right of way, grading, bituminous surfacing, fencing, signing, striping, topsoiling, seeding, and a new bridge over Medicine Lake and drainage as required for a new two-lane roadway.

SUCH REQUESTS FOR A PUBLIC HEARING MUST BE SUBMITTED IN WRITING to the Department of Highways, Helena, Montana and must be postmarked not later than March 31, 1972. Upon receipt of such requests, plans will be initiated for a public hearing at which interested persons may attend and submit written briefs or verbal arguments either for or against the proposition. If no written requests for a hearing are received, the Department of Highways will consider that it has complied with the requirements of Section 116 of the FEDERAL AID HIGHWAY ACT OF 1956 and Policy and Procedure Memorandum 20-8 regarding the affording of an opportunity for such hearings, and no public hearing will be held.

Dated this 28th day of February 1972

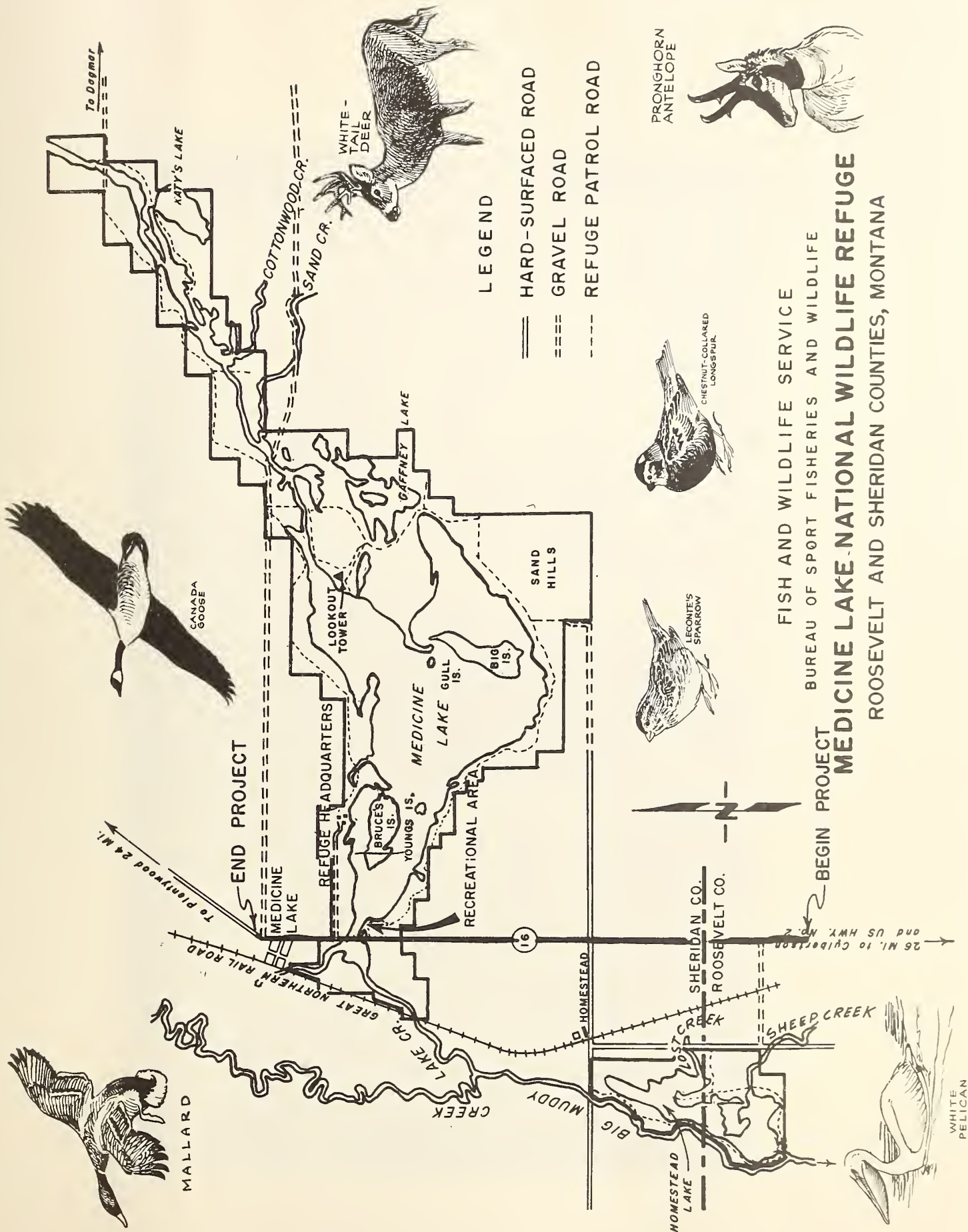
Project: F 193 (18)



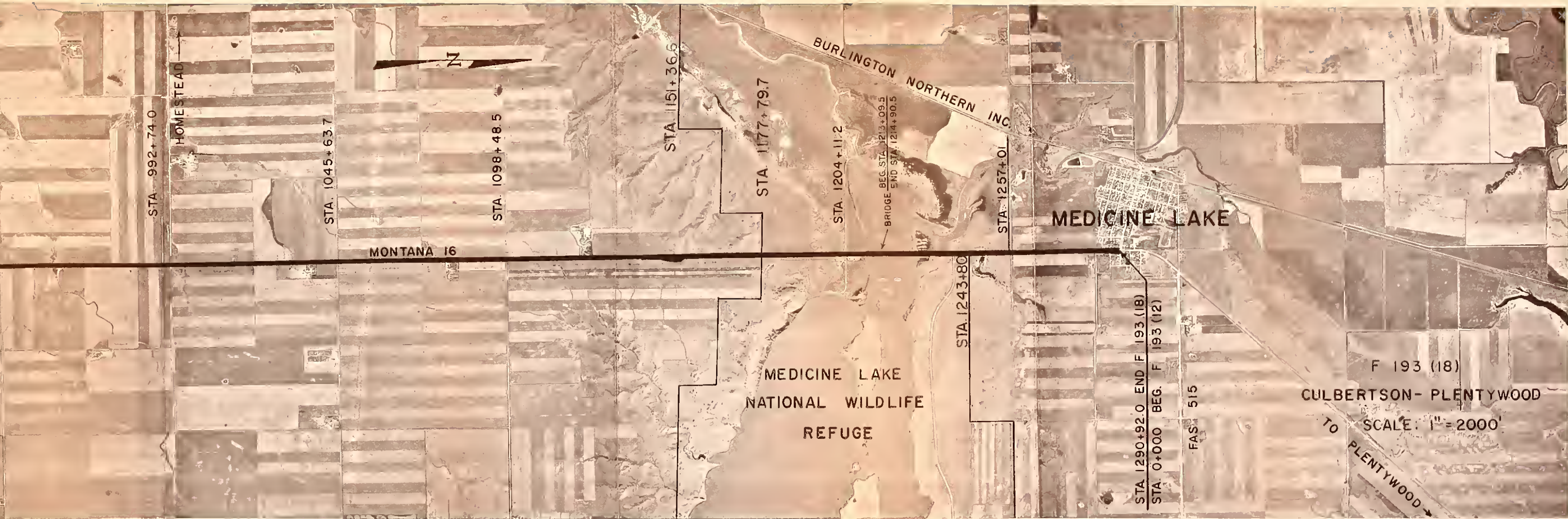
H. J. ANDERSON
Director of Highways

IX EXHIBITS

	<u>Page</u>
Fish and Wildlife Service map showing Medicine Lake National Wildlife Refuge and also the proposed project-----	101
1" = 2000'+ aerial print showing the proposed project-----	102
Photograph looking north along Montana 16 near the south end of the project-----	103
Photograph looking north along Montana 16 showing Medicine Lake in the background-----	104
Photograph looking north along Montana 16 showing Medicine Lake in the foreground-----	105
Photograph looking north along Montana 16 near the north end of the proposed project showing the east edge of the City of Medicine Lake-----	106







STA. 992+74.0

HOMESTEAD

STA. 1045+63.7

MONTANA 16

N

STA. 1098+48.5

STA. 1151+36.5

STA. 1177+79.7

STA. 1204+11.2

BRIDGE
BEG. STA. 1213+09.5
END STA. 1214+90.5

STA. 1257+01

MEDICINE LAKE

STA. 1243+80

STA. 1290+92.0 END F 193 (18)
STA. 0+000 BEG. F 193 (12)

FAS 515

MEDICINE LAKE
NATIONAL WILDLIFE
REFUGE

F 193 (18)

CULBERTSON- PLENTYWOOD

TO PLENTYWOOD
SCALE: 1" = 2000'



Photograph looking north along Montana 16
near the south end of the project



Photograph looking north along Montana 16
showing Medicine Lake in the background



Photograph looking north along Montana 16
showing Medicine Lake in the foreground



Photograph looking north along Montana 16
near the north end of the proposed project
showing the east edge of the
City of Medicine Lake

